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HEARINGS
BEFORE A
SUBCOMMITTEE OF THE
COMMITTEE ON APPROPRIATIONS
HOUSE OF REPRESENTATIVES
NINETY-SEVENTH CONGRESS
SECOND SESSION

SUBCOMMITTEE ON THE DEPARTMENTS OF COMMERCE,
STATE, THE JUDICIARY, AND RELATED AGENCIES

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PART 7

DEPARTMENT OF JUSTICE

Printed for the use of the Committee on Appropriations

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The fiscal year 1983 budget request for the Justice Department totals \$2,666,234,000. This amount includes proposed transfers to the Department of Education of \$1,299,000,000, and from the Department of Energy of \$20,248,000. Since these transfers require legislation upon which Congress has not yet acted, the amounts and the programs which they fund have not been considered or will not be considered by this subcommittee this year. The fiscal year 1983 request for the regular ongoing program is \$2,644,687,000, and this amount represents an increase of \$170,372,000 above the amounts anticipated for fiscal year 1982, including the pending supplemental request of \$4 million.

We will insert pages 6 and 7 of the fiscal year 1983 Budget Summary for the Department of Justice at this point in the record. [The pages of the fiscal year 1983 budget summary follow:]

DRUG ENFORCEMENT EFFORTS

With concurrent jurisdiction over the investigation of drug offenses assigned to the FBI, I am fully confident that the fusion of FBI resources and expertise, to supplement those of the Department of Justice, will aid our national drug enforcement effort. For the Drug Enforcement Administration itself, we are requesting a relatively minor program decrease from current services to be allocated proportionally among DEA's programs. These decreases will be achieved through improved operational efficiency and reduction of redundant administrative activities. There will, however, be no reduction in authorized positions for DEA.

I am also creating a high-level Justice Department committee to oversee the development of drug enforcement policy and to ensure that all the Department's resources, including its prosecutive, correctional efforts, are effectively engaged in the effort to combat drug trafficking.

DEA has made significant progress in controlling the availability of Southwest Asian heroin. Much of the Southwest Asian heroin destined for the United States in 1980 and 1981 never reached this country. While supplies of opium in Southwest Asia continue to be abundant, enforcement pressure will be maintained on Southwest Asian heroin availability by the appropriate domestic and international field offices.

Furthermore, asset seizures of major narcotics traffickers have increased substantially. In the past two years alone, DEA seized approximately \$255 million of drug-related assets. Seizures this year are expected to exceed the total dollar amount of the DEA's previous year. Continued efforts in the "asset seizures" area will, no doubt, have a considerable effect on major drug trafficking.

DONALD P. QUINN, ACTING ASSISTANT ADMINISTRATOR, OPERATIONAL
SUPPORT

GENE R. HAISLIP, ACTING DEPUTY ASSISTANT ADMINISTRATOR, OFFICE
OF DIVERSION CONTROL

MALCOLM E. ARNOLD, ACTING DEPUTY ASSISTANT ADMINISTRATOR, AD-
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JAMES K. WILLIAMS, ACTING CHIEF, BUDGET AND MANPOWER MANAGE-
MENT SECTION

KEVIN D. ROONEY, ASSISTANT ATTORNEY GENERAL FOR ADMINISTRA-
TION

CHARLES R. NEILL, CONTROLLER

JOHN R. SHAFFER, DIRECTOR, BUDGET STAFF

GORDON FINK, CHIEF, CONGRESSIONAL AND PUBLIC AFFAIRS OFFICE

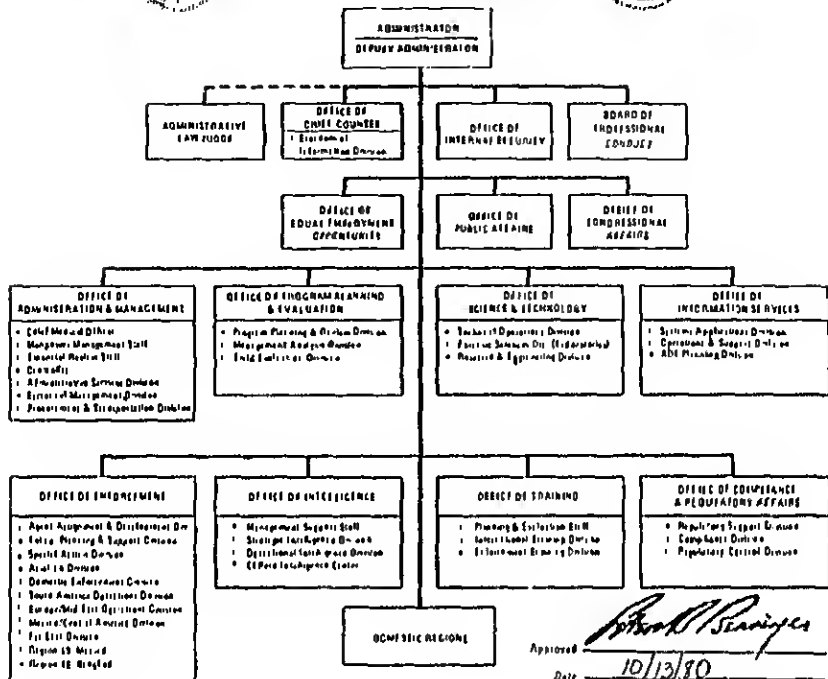
Mr. SMITH. This afternoon we consider the fiscal year 1983 budget request for DEA. The request for 1983 is \$246,945,000 and that is an increase of \$16,096,000 above the amount provided in the current fiscal year under the continuing resolution.

The justifications appear under a separate tab in Volume 2 and we will insert them, at this point in the record.

[The justifications follow:]



U.S. Department of Justice
Drug Enforcement Administration



ing Enforcement Administration (DEA) was established in the Department of Justice on July 1, 1974, by Reorganization Plan No. 1. DEA's mission is to provide leadership in the suppression of narcotic and dangerous drugs at the national and international levels, to enforce the controlled substances laws thereby restricting the aggregate supply of drugs of abuse,

appropriation finances the following major functions:

- (1) law enforcement at the Federal level, including coordination with foreign officials in drug matters (under the policy of the President's Strategy Council);
- (2) regulation of legitimate controlled substances;
- (3) enforcement and maintenance of drug intelligence systems;
- (4) coordination with State, local, and other Federal officials in drug enforcement activities;
- (5) improvement of State and local drug law enforcement capabilities.

DEA appropriation finances a nationwide operation with field offices in 50 States, boundary operation in 41 countries, 8 territories, and Federal/State and local task forces in 38 selected areas.

Heroin remains DEA's principal target, the traffic in dangerous drugs, bulk chemicals, cocaine, and controlled substances continues to undermine the economic and social fabric of both the United States and many foreign countries.

Heroin trafficking frequently involves violent crime. It invariably breeds violence. It unquestionably causes many deaths, injuries, and property losses. It also generates huge profits that can be used to avoid detection and finance further organized crime. The availability and subsequent abuse have increased in 1981. As of the third quarter of calendar year 1981, the supply of heroin in the United States increased by 4.3% from a low of 3.8% in 1980. Furthermore, emergency room admissions for heroin addiction increased by 20% in 1981. The Department of Justice has predicted increased supply and trafficking in Southeast Asian heroin, which allows time for adequate planning and action to prevent the influx from an already afflicting the U.S. population to this point. We have had unprecedented success in dismantling drug trafficking networks and dismantling their conversion laboratories at overseas locations to deny and the ability to prevent the converted heroin from reaching the U.S. population.

DEA will continue to pursue asset seizures as a broad scale as part of its three dimensional approach to combat the trafficking in drugs, and seize trafficker drug-related assets.

The Department of DEA and FBI investigative activities will be coordinated to ensure that the capabilities will be utilized to combat drug enforcement activities.

The operational plan for 1982 has the support of the Congress. Most recently the Committee on the Judiciary, United States Senate, in Report No. 97-94 to accompany S-951, Department of Justice Authorization Act, 1982 that they recommend, in part, that:

...greater attention should be given by DEA to targeting the source of illicit drugs...

...intensifying illicit drugs at the transshipment point in a viable strategy and should be more actively pursued when to target production in source countries is failed...

...much more needs to be done in this (to target foreign transshipment related to illicit drug traffic) vital areas. DEA (should) coordinate with the FBI and seek the Bureau's assistance in training new DEA agents.

1983 request will provide funding for the existing level of operations for DEA program.

Enforcement of Federal Law and Investigations

The Domestic Enforcement program encompasses the enforcement of Federal laws regarding narcotic and dangerous drugs, the activity aims to reduce the domestic supply of illicit drugs of abuse to a level with which our society and law enforcement can reasonably cope.

The Foreign Cooperative Investigations program encompasses efforts to reduce illicit drug production and the supply of drugs destined for the United States particularly from Southeast Asia. Efforts to curtail the supply of illicitly-produced drugs, cocaine and marijuana entering the United States, and the collection and dissemination of tactical operational and intelligence.

The Compliance and Regulation program encompasses the investigation of, and prevention of, diversion of narcotic and drugs from legal channels. By authority of the Controlled Substances Act this activity includes (a) registering legitimate manufacturers, distributors, and practitioners of controlled drugs; (b) determining points of diversion into the illicit market; (c) conducting investigations of high level violators; (d) conducting portfolio investigations of manufacturers, wholesalers, importers/exporters, and methadone clinics; (e) investigating pre-registered; (f) identifying and classifying of controlled substances; (g) authorizing imports and exports; (h) establishing manufacturing quotas; and (i) providing assistance and guidance to foreign governments.

The State and Local Assistance program encompasses cooperative law enforcement activities with State, county, and local law enforcement agencies. Included are training programs for law enforcement officers and chemists; laboratory support for law enforcement agencies (including analysis of evidence and professional testimony in prosecution cases); and support for enforcement activities of the Federal/State and local task forces.

For 1983 the program level will provide for the operation of 18 Federal/State and local task forces, provision of training on a selective basis and training of 5,360 State and local law enforcement officers.

Support Operations

This activity encompasses laboratory analysis of evidence in support of investigation and prosecution of programs for all levels of DEA operational personnel; and maintenance of an effective technical equipment operations, to support increasingly complex high level investigations.

Program Direction

This program encompasses the overall management and direction of DEA. It includes the development of a policy; program analysis and planning; security of DEA; legal counsel; and coordination and performance

Proposed Authorization Language

The Drug Enforcement Administration is requesting the following authorization language:

For the Drug Enforcement Administration for its activities including -

- (A) hire and acquisition of law enforcement and passenger motor vehicles without regard to the year for the current fiscal year;
- (B) payment in advance for special tests and studies by contract;
- (C) payment in advance for expenses arising out of contractual and reimbursable agreements with State and regulatory agencies while engaged in cooperative enforcement and regulatory activities in a of the Controlled Substances Act (21 U.S.C. 873a)(2);
- (D) payment of expenses not to exceed \$70,000 to meet unforeseen emergencies of a confidential character in the direction of the Attorney General, and to be accounted for solely on the certificate of the Attorney General;
- (E) payment of rewards;
- (F) payment for publication of technical and informational material in professional and trade journals, chemicals, apparatus, and scientific equipment;
- (G) payment for necessary accommodations in the District of Columbia for conferences and training;
- (H) acquisition, lease, maintenance, and operation of aircraft;
- (I) research related to enforcement and drug control to remain available until expended;
- (J) contracting with individuals for personal services abroad, and such individuals shall not be recruited by the United States Government for the purpose of any law administered by the Office of Personnel Management;
- (K) payment for firearms and ammunition, and attendance at firearms matches;
- (L) payment of tort claims against the United States when such claims arise in foreign countries in connection with DEA Enforcement Administration operations abroad; and
- (M) not to exceed \$1,700,000 for the purchase of evidence and payments for information (PE/PI) to remain available until the end of the fiscal year following the year in which authorized;

\$246,945,000. For purpose of section 709(b) of the Controlled Substances Act (21 U.S.C. 904(b)), such sums as may be authorized by section 709(a) of such Act, for fiscal year ending September 30, 1981.

Salaries and expenses

y expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to
 en emergencies of a confidential character, to be expended under the direction of the
 eral, and to be accounted for solely on his certificate; purchase of not to exceed
 and seventy-five passenger motor vehicles [of which three hundred ten are] (for two hundred seventy-seven
 only) for police-type use without regard to the general purchase price limitation for
 fiscal year; acquisition, lease, maintenance, and operation of aircraft: (\$210,049,000) \$246,945,000,
 to exceed \$1,200,000 for research shall remain available until expended[.] and \$1,700,000 for purchase
 evidence and payments for
 information shall remain
 available until September
 1984.

of change

would provide Drug Enforcement Administration with "multi-year" authority for expenditure of funds used for the purchase
 of payments for information (FE/EI). This authority was provided in the same amount in the Supplemental Appropriations Act,
 Act, 1981 and is included in both the House and Senate versions of H.R. 4169, the 1982 appropriation bill now pending in
 S. The present continuing resolution does not clearly provide this authority to carry forward funds from 1982.

Proposed 1982 Changes (Dollars in thousands)

Item	1981 President's Budget Request			Congressional Appropriation Action on 1982 Request			Departmental Action			1982 Appropriation Action		
	Total	HY	ALT	Total	HY	ALT	Total	HY	ALT	Total	HY	ALT
Department of Federal Law Enforcement	1,742	1,760	\$100,211	175	160	\$8,692	...	...	...	1,917	1,940	\$105,100
Cooperative Investigations	121	358	26,602	32	5	1,814	...	...	...	355	353	28,100
Law and regulation	131	112	14,110	27	53	1,269	...	...	...	108	135	15,700
and local assistance	31	32	2,119	10	16	869	...	...	...	49	48	2,900
and local laboratory services	15	21	1,510	15	9	383	0	0	-\$523	22	22	1,300
and local task forces	...	58	2,159	114	56	9,219	...	...	...	114	140	11,100
and investigation units	...	11	760	...	...	...	...	...	...	...	11	100
...	316	323	16,226	50	40	1,569	...	...	...	366	361	17,700
and development	19	17	616	...	1	4,219	...	...	...	19	16	1,800
Operations	174	168	8,443	...	7	615	0	0	523	182	183	9,900
Laboratory Services	26	29	2,051	...	1	158	...	...	...	26	25	2,300
and operations	119	111	10,133	...	6	3,498	...	...	...	119	117	13,600
Section	261	253	10,471	...	9	375	...	...	...	261	262	10,800
and direction and control	104	104	5,128	9	8	633	...	...	...	110	112	5,700
and investigative services	...	...	...	...	...	...	...	...	...	...	...	...
...	1,463	1,578	231,101	490	351	29,748	...	...	...	1,953	1,939	230,800

Explanation of Analysis of Changes from 1982 Appropriation Request

Appropriations Action

First level includes the President's revised budget request submitted in September and reflects a reduction of approximately 12% from the

Second action reflects the level of funding contained in P.L. 97-92, Continuing Resolution for 1982.

Third level represents a proposed reclassification of positions and funding associated with the provision of laboratory services to other Federal
 in the State and Local Laboratory Services program to the DEA Laboratory Services program.

Salaries and Expenses

Summary of Requirements (dollars in thousands)

	Perm.	Pos.	WY	Amount
1982	3,953	3	3,953	3
1983	3,953	3	3,953	3

Adjustments to base:

1982 as enacted (appropriation anticipated).....

Uncontrollable increases.....

Decreases.....

1983 base.....

1982 Appropriation

	1981 Actual		1982 Anticipated		1983 Base		1983 Estimate		Increase	
	Perm. Pos.	WY Amount	Perm. Pos.	WY Amount	Perm. Pos.	WY Amount	Perm. Pos.	WY Amount	Perm. Pos.	WY Amount
Estimates by budget activity										
1. Enforcement of Federal law and investigations:										
a. Domestic enforcement.....	1,891	1,968	1,917	1,920	1,917	1,921	1,917	1,873	1,917	\$116,150
b. Foreign cooperative investigations.....	345	315	355	353	355	356	355	347	355	31,385
c. Compliance and regulation.....	408	345	408	395	408	395	408	385	408	16,676
d. State and local assistance.....	316	330	185	191	185	180	185	175	185	16,947
2. Intelligence.....	387	362	366	363	366	363	366	354	366	19,034
3. Research and development.....	26	20	19	18	19	18	19	18	19	1,917
4. Support operations.....	322	311	327	325	327	325	327	315	327	27,035
5. Program direction.....	397	379	376	374	376	374	376	365	376	17,801
Total.....	4,092	4,010	3,953	3,939	3,953	3,932	3,953	3,832	3,953	246,945

Drug Enforcement Administration
Summary of Expenditures by Program
Activity: W. Laboratory

<u>1981 or Budgeted</u>			<u>1981 Actual</u>			<u>1982 Appropriation</u>			<u>1981 Base</u>			<u>1981 Estimate</u>			<u>Increase/Decrease</u>		
<u>Perf.</u>	<u>Pro.</u>	<u>Gr.</u>	<u>Perf.</u>	<u>Pro.</u>	<u>Gr.</u>	<u>Perf.</u>	<u>Pro.</u>	<u>Gr.</u>	<u>Perf.</u>	<u>Pro.</u>	<u>Gr.</u>	<u>Perf.</u>	<u>Pro.</u>	<u>Gr.</u>	<u>Perf.</u>	<u>Pro.</u>	<u>Gr.</u>
<u>Est.</u>	<u>Est.</u>	<u>Est.</u>	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>
1,491	1,866	986,772	1,891	1,568	\$104,037	1,917	1,970	\$108,306	1,917	1,921	\$111,357	1,917	1,873	\$118,140	...	-48	\$11,207
18.	335	26,021	145	318	42,814	355	392	28,006	355	356	31,815	355	349	31,895	...	-6	-230
408	391	14,811	498	385	12,611	408	395	15,177	408	395	16,535	408	385	16,678	...	-10	-259
49	46	2,403	49	46	2,922	49	48	2,587	49	48	3,182	49	47	3,153	...	-1	-22
13	14	1,496	15	14	1,562	22	22	1,235	22	22	1,525	22	21	1,548	...	-1	-29
208	162	11,284	208	229	14,782	114	110	11,218	114	110	12,309	114	107	12,218	...	-7	-97
74	74	1,051	74	20	1,393	...	71	200	...	...	...	...	...	...	...	...	...
187	187	14,769	187	162	10,504	166	161	12,793	166	163	19,264	166	154	19,034	...	-4	-210
%	20	772	20	20	1,276	19	18	1,835	19	18	1,913	19	18	1,917	...	...	...
124	173	8,488	124	172	8,310	182	182	9,581	182	182	10,423	182	178	10,398	...	-5	-115
29	28	2,611	29	21	2,178	26	26	2,509	26	25	2,308	26	24	2,319	...	-1	-29
119	115	10,103	119	116	10,445	119	117	11,211	119	117	14,464	119	113	14,318	...	-4	-86
227	219	10,476	227	252	9,824	263	262	10,846	263	262	11,838	263	259	11,866	...	-2	-171
120	117	5,554	120	127	5,015	117	112	5,781	117	112	6,192	113	110	6,152	...	-2	-57
4,092	1,386	216,175	4,092	4,030	416,054	1,953	3,939	278,089	3,553	3,932	289,445	3,853	3,832	286,945	...	-100	-2,500
4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	...	...	...
429	441	444	429	441	444	444	444	444	444	444	444	444	444	444	...	...	...
20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	...	...	...
4,412	4,496	4,408	4,412	4,496	4,408	4,412	4,496	4,408	4,412	4,496	4,408	4,412	4,496	4,408	...	...	...

Long-Range Goals: To reduce the supply of illicit drugs to levels where our society and institutions can absorb the consequences of drug abuse.

Major Objectives:

1. Increase overall pressure on the heroin trafficking apparatus and hold below 4% the average purity of heroin level.
1. Increase investigative efforts in the dangerous drug area, contain in particular the increased level of manufactured PCP, methamphetamine and ISO, and reduce the retail availability of the substances as measured by dealers.
1. Increase the federal government's role against violent crime by supporting within unmet need availability intelligence operations wherein violent crimes surface as collateral violations to ongoing drug investigation.
1. Maintain investigative pressure on the cocaine, marijuana and counterfeit methamphetamine traffic entering Southwestern and North Central part of the United States to prevent any significant increase in available national retail price/purity averages.
1. Implement a Caribbean enforcement/intelligence program involving coordinated interdiction, investigation, this strategy is designed to supply intelligence and espionage support to Caribbean enforcement operations effectiveness through increased use of sophisticated and innovative investigative approaches and methods.
1. Utilize assistance from the U.S. military forces, within limitation of law, to provide intelligence and transportation of illicit drugs.
1. Continue to redesign and improve the Narcotics and Dangerous Drugs Information System (NDDIS) to provide quicker response time, and enlarged data storage capability. The NDDIS is an automated index of data which is the key to information retrieval.
1. Immobilize major traffickers and their organizations by seizing drug-related assets.

Base Program Description: DEA carries out this mission through:

1. Undercover operations.
1. Electronic surveillance.
1. Development and utilization of confidential sources of information.
1. Diplomatic use of the various executive statutes and the more sophisticated statutory tools such as the provision, tax laws and Racketeer Influenced Foreign Organization (RICO).
1. Conspiracy prosecutions developed most often through exploitation and extension of evidence and witness capability in interoffice cooperation and investigative assistance.
1. Employment of Middle West Forces (MWF) and Central United States (CUSA) for investigative concentrated organizations.
1. Financial investigative efforts involving the illicit international and national money flow related in coordination with the Internal Revenue Service (IRS) and Federal Bureau of Investigation (FBI).
1. Prosecution measures aimed at identifying and immobilizing clandestine laboratory operations.
1. Full cooperation between DEA, U.S. Customs Service, Immigration and Naturalization Service (INS), and the law enforcement activities.
1. Coordination and cooperation with state and local law enforcement agencies in the exchange of investigation.
1. Utilization of special undercover undercover operations where the agent poses as a drug seller.
1. Establishment of proprietary business operations which offer to sell premium products in illicit drug.

In order to provide for more effective control and efficient utilization of DEA resources, field elements will the execution of resources and policy decisions made at headquarters. Management of DEA and FBI investigation coordinated to insure that the capabilities will be utilized to the fullest extent in drug enforcement activities.

The major thrust of the Domestic Enforcement program is the elimination or immobilization of the highest priority drugs of abuse. Heroin is the highest priority. This strategy is based on the experience that this can be achieved at these levels and that this represents the most cost-effective employment of resources.

The social harm inflicted by the abuse of drugs includes deaths and injuries and strains placed on the nation's economy that profits significantly from the traffic; contributes large amounts of untaxed money in either organizations in legitimate enterprises which have a corrupting influence on our community. Drug traffickers through the outflow of United States capital to foreign countries. Furthermore, it has contributed to the black market of drug-related street crime.

DEA's investigative activities fall into two major categories based on the source of the investigation: cooperative investigations stemming from referrals by other federal law enforcement agencies such as the Immigration and Naturalization Service. While DEA has the principal responsibility in drug offense cases as investigations, as a practical matter, DEA exercises only limited control over drug priorities in this area. Substantially from border seizures, and the standards established for prosecution by the several United States courts.

operations targeted against major conspiracies will receive added emphasis. These activities will be coordinated on a daily basis when it is determined by DEA management that intelligence or evidence points to probable success commensurate with resources available. Through demonstrated success of these investigations, DEA aims to create in the minds of major traffickers a certain dread under all applicable Federal statutes, as well as the more complete immobilization of their organizations.

There has been continued utilization of DEA/FBI cooperative efforts on a case-by-case basis to combine the expertise of both agencies in complex investigations aimed toward the prosecution of major organized crime violations implicated in the narcotics traffic. This includes focusing ongoing efforts on financial investigations involving international money flows and drug traffickers' assets, including close cooperation between DEA, the U.S. Customs Service, and the Internal Revenue Service, and FBI agents who isolate violators generally isolated from drug charges, who direct, control, and profit significantly from the traffic. Assets and investments of these profits are vulnerable to forfeiture. This innovative combined Federal technique is seen as an effective means of attacking the capital assets of the traffickers, thereby immobilizing major traffickers' organizations.

Continued use of traditional and well-proven enforcement methods such as informant development, undercover infiltration, and purchases of information will continue to be used as tools in the development of both substantive and major conspiracy investigations. These methods provide for acquisition of evidence which, among other things, reinforces the credibility of testimony of government witnesses. High on the list of priorities is the immobilization of domestic clandestine laboratory operations and the supporting processing program. The eradication of PCP, the startling of P-2-P, and the controls placed on pipeline have resulted in a decrease of illicit manufacture of PCP, methamphetamine, and amphetamines.

Current enforcement efforts are being directed against major traffickers/organizations involved in the smuggling of large quantities of marijuana, and methamphetamine entering the continental United States from the Southeastern part from South America.

Continued cooperation between DEA, U.S. Customs Service, Immigration and Naturalization Service, and the U.S. Coast Guard in border enforcement activities will be maintained. DEA will continue to support the border intelligence function through: (1) immediate referral of information, (2) cooperative investigations where appropriate, and (3) coordination of defendant debriefing techniques in cases where feasible for Federal prosecution.

Technical support requirements of the enforcement, intelligence, laboratories, and regulatory activities of DEA have mandated the development of a fully interfaced information system of data records, processed by a single hardware system and managed by a single software management system method. In 1980 DEA embarked on the planning for acquisition of this unified system, which will replace the current information systems formerly known as the CSA (Regulatory), INCHIPS (Intelligence), STRIDE (Laboratories), and PATRIARCHA (Intelligence). The new system will provide data access across existing files of DEA records in the drug law enforcement, drug evidence analysis, intelligence and controlled substances regulation and compliance areas. This system is planned to be fully operational by 1983.

The telecommunications system encompasses the following:

Secure Voice: Cryptographic secure voice devices located at DEA headquarters to provide intelligence and enforcement information to the United States intelligence community.

Speech Privacy: Commercially-available speech privacy devices to offer a deterrent against monitoring of phone calls.

Facsimile: A system which includes 130 terminals in field offices, compatible with other government agencies, and comparable to similar equipment.

DEA Secure Teletype System (DSTS): A leased line network that provides the capability to transmit classified and sensitive information in support of the DEA mission domestically and through the headquarters telecommunications center to foreign offices. The Department of Defense Automatic Digital Network (AUNCDN) access channels and the State Department's Diplomatic Teletype Network (DTSN) are also used.

Availability and Availability: Nationally, due to the combined Federal efforts, domestic and foreign, the average retail price of marijuana at the street level was 4.34 at a price of \$2.35 per ounce during 1981. This is an increase compared to the record low of 1979, but lower than anticipated from the sudden increase in Southeast Asian (SEA) heroin. The moderate increase can be credited to the intelligence and immediate enforcement action, both domestic and foreign.

Upon early identification of the SEA threat and special high-priority enforcement action and coordination (Special Action Team) in foreign source and transit countries, much of the SEA threat was reduced before it reached the United States. Continued vigilance is being maintained in SEA heroin by appropriate domestic and foreign field offices.

During 1979-81, efforts to reduce the availability of clandestinely manufactured dangerous drugs also increased. Seizures of clandestine laboratories increased from 20 in 1976 to 44 in 1977, and further increased to 58 in 1978 during the period when the Special Action Team (SAT) was in full operation. In 1979, there were 47 clandestine PCP laboratories seized, in 1980 there were 41, and in 1981, 36. The decrease is attributed to the lessened availability of the precursor chemical, phenylacetic acid, used to control on November 10, 1978, when Title III of Public Law 95-611 was enacted. In 1980, a total of 250 clandestine laboratories of all types were seized and in 1981, 192 laboratories were seized. Based upon legislative initiatives, voluntary chemical industry, and investigative operations, the availability of PCP, methamphetamine and amphetamine was reduced to a level in 1981.

cases of compliance, the level of effort and resources expended to achieve the desired results by all varying to some extent. In 1982, CERTAC operations are expected to match or exceed the accomplishments characteristically include some of the most important individuals in the whole organization encompassed by the Initiative. Violators are reached through the CERTAC approach, who have successfully isolated themselves from a perceptible, substantive evidence. In most cases, evidence developed in the course of routine investigative work is expanded by the use of the CERTAC approach.

Operation Groupers, a major MTF in 1980-81, targeted 14 major maritime smuggling groups operating in South Florida areas including 45 Class I violators and 34 Class II violators, are having a significant impact on this form of crime.

BFA will continue to rely heavily on operational reporting by field supervisors. This is central to the overall planning and evaluation system. Additional Enforcement Management Information Systems (EMIS) are under development in 1982. The case status system will enable BFA to determine the number of active cases, their status, and how this information will merge with the G-BEP System to aid management resource and policy decision making. The system will show managers how our manpower is being spent. The confidential source system will provide information on those they are utilized, what they are being paid, etc.. All of these information systems are currently in the development stage.

Currently, the EMIS System provides 24 hour/day, 7 day/week service. This provides timely responses to inquiries, particularly time-sensitive nature. PARDUSHER is and continues to be used heavily by BFA in compliance and

Program resources include the following:

Item	1980	1981	
Total domestic Federal arrests.....	7,241	8,820	
Total BFA Initiated.....	16,450	17,191	
a. Class I cases.....	3,142	1,425	
b. Class II cases.....	952	1,050	
c. Class III cases.....	1,029	2,400	
d. Class IV cases.....	535	715	
Federal referrals.....	(783)	(1,418)*	
Investigative hours by class of case (BFA Initiated).....	(1,611,508)	(1,777,903)	(1,777,903)
Class I.....	975,493	1,112,741	1,112,741
Class II.....	199,247	201,791	201,791
Class III.....	390,741	426,313	426,313
Class IV.....	30,014	35,034	35,034
Arrests noted (\$ in millions).....	91	161	
CERTAC Indictments by Class I and II violators			
Class I violator.....	49	86	
Class II violator.....	21	21	
Classified laboratory seizures.....	250	192	

* Referrals from other Federal Agencies added to referrals from U.S. Customs Service and IRS effective 1981.

Program Charges: The request also includes a reduction of \$1,207,000 and 48 workyears. The justification for this is in the section for justification of Multi-Activity Program Increases.

Activity: Enforcement of Federal law and Investigations	1982 Appropriation Anticipated			1983 Base			1983 Estimate		
	Perm. Pos.	NY	Amount	Perm. Pos.	NY	Amount	Perm. Pos.	NY	Amount
Subactivity: Foreign cooperative Investigations									
Foreign cooperative Investigations.....	355	351	\$28,706	355	356	\$31,615	355	347	\$31,305

Long-Range Goals: Reduce the supply of illicit drugs of foreign origin destined for the United States.

effective drug information agencies, promote the adoption of crop substitution and alternate income production programs, initiate over 760 new cooperative investigations of international traffickers in conjunction with foreign police officials, increase efforts to collect money-flow documentation in support of joint prosecutive efforts, interface South American operational efforts with domestic DEA operations and supply U.S. Coast Guard and U.S. Customs Service directed toward drug interdiction at sea, achieve 1,400 arrests of international traffickers, thereby immobilizing major trafficking organizations, encourage foreign government officials to apprehend and extradite fugitives to appropriate prosecutorial jurisdictions, provide increased liaison with foreign based U.S. military elements in order to promote effective information exchange and drug enforcement assistance, collect strategic intelligence on major drug trafficking routes and groups, opium poppy, cannabis and coca growing areas, laboratory locations and drug trafficking staging areas, facilitate the rapid exchange of tactical and strategic intelligence between DEA's foreign and domestic efforts, and among the host countries that experience illegal drug consumption, production, or trafficking problems, encourage foreign police officials to seize drug-related assets, when appropriate legal authority exists, to further immobilize trafficking organizations by removing drug trafficking profits.

Program Description: The purpose and principal thrust of this program is to both activate and assist foreign sources, trained in foreign victim countries in the development of drug law enforcement and ancillary programs to reduce the supply of illicit drugs produced, processed, and prepared for ultimate delivery to the United States. The primary strategy is to disrupt the flow of narcotics drugs as close to the foreign source as possible with the aim of disrupting the international flow of drugs.

Also, the priority drug of abuse in terms of comparative social harm, emanates as opium from foreign agricultural regions, and is processed in foreign laboratories and staged in the foreign areas for introduction into the international export/import smuggling network. The demand for heroin is growing in traditional opium consuming countries, the major emphasis of the foreign production, processing and smuggling operations is to supply the more affluent American and Western European markets.

Important part of this program is to collect and produce, on a continuing basis, tactical/operational and strategic foreign drug intelligence. This intelligence enables the DEA and other United States and foreign authorities to make maximum use of their capabilities to control illicit drugs. It also enables United States drug suppression agencies to recognize drug flows into the United States and forecast future trends in narcotics problems.

An effort to insure that foreign counterparts have sufficient knowledge and expertise to furnish assistance, DEA conducts a continuing program for foreign enforcement and regulatory officials. These programs also serve to stimulate foreign governments to become actively involved in a broad range of drug control programs.

Foreign activities focus on the provision of expert advice and authorized investigative, intelligence, and training assistance in foreign areas deemed most critical to the reduction of drugs destined for the U.S. A natural extension of these programs is DEA management and assistance in the implementation of substantive intergovernmental enforcement cooperation and intelligence exchange. Foreign training activities directly support this overall effort in terms of development of capable host country cadres for the cooperation of effective and cooperative drug enforcement agencies.

Major activities/techniques employed in accomplishment of the major objectives are as follows:

Criminal drug information collection and exchange directly support intelligence production and prosecution of delinquents in the United States and the host countries. These efforts include:

- Development of sources of information knowledgeable of illicit cultivation, production, and transportation activities.
- Undercover penetration of trafficking organizations in support of host country operations.
- Surveillance assistance and development of evidence against major traffickers of drugs destined for the United States.
- Provide host countries with information for effective enforcement programs.
- Participation with foreign officials in pursuing investigative leads.
- Coordination of matters regarding extraditions, expulsions, joint prosecutions, and requests for judicial assistance.
- Acquisition and transmittal to the United States of drug samples supplied by foreign government officers for laboratory analysis to determine the origin of drugs destined for the United States.

Traditional drug intelligence activities conducted overseas concurrently with the foregoing involve the identification and dissemination of information collection requirements, collection against these requirements by special agents, initiation of Special Field Intelligence programs, analytical research processing, and the production and dissemination of tactical/operational and strategic foreign intelligence.

Liaison, which is central to the DEA foreign mission includes visits, briefings, exchanges, and contacts with foreign law enforcement officials to encourage cooperation and development of effective host country drug enforcement capability and commitment. DEA conducts a variety of international training programs which are funded by the Department of State, Bureau of International Narcotics Matters: Five-week Advanced International Drug Enforcement schools, two-week in-country training schools, two to four week observation programs, instructor training programs, intelligence collection and analysis schools, three week forensic chemistry and sponsors the International Drug Enforcement Officers Association Conferences. Foreign language training provided by the Department of State, Foreign Service Institute, ensures that DEA employees are capable of their assignments in foreign countries.

The PATINDEX system and its interface to NADDIS has proven in domestic investigations to be an invaluable enforcement/Intelligence base level will permit continuous on-line access to essential NADDIS data on an around-the-clock basis at 18 foreign offices.

- Continued and improved cooperation with the Office of the Attorney General of Mexico has resulted in drug-related investigative programs.
- Numerous Special Field Intelligence programs (SFIIP) have been initiated in Mexico with significant results.
- Honduran law enforcement officers have been provided extensive training in drug investigative techniques. Significant increase in drug investigation within Honduras. DEA has most recently established an office in Tegucigalpa.
- DEA has initiated a special program in cooperation with Costa Rican Officials to identify and eradicate fields in that country.

* SOUTH AMERICA

- In Colombia, DEA has established resident offices in Cali and Medellin to provide increased enforcement authorities.
- A special 600-man Maroon Unit within the Colombian National Police has been established in the north to combat marijuana traffic. There has also been favorable reaction in Colombia toward a legitimate marijuana era believed, that with repeal of existing U.S. legal constraints such a program could be mounted in the future.
- An essential chemicals control program has been initiated and extended to those South American countries of cocaine or the essential chemicals required for coca processing. Due to its success in Brazil, DEA programs in other countries, particularly Colombia.
- Peru has enacted legislation making all coca cultivation, above field market requirements, illegal and measures in one primary growing area of the country. Peru's efforts should have a significant impact on consequently on the world cocaine supply over the next 5-10 years.

* EUROPE AND MIDDLE EAST

- DEA intelligence probes in West Germany have identified a sizeable number of Turkish and Pakistani trans-Asian heroin into Western Europe. Quarterly reports are produced containing analyses of the changing heroin market in Southwest Asia.
- In Turkey, tentative working agreements will involve the Turkish National Police (TNP) and the military in drug control programs.
- In Pakistan, the United States Government will continue support of the Pakistan Narcotics Control Board to curb opium production within Pakistan. Pakistan has shown some interest in initiating an opium eradication program.
- DEA intelligence probes in Pakistan, Turkey, and Mexico have pinpointed illicit laboratory locations, assessed the potential output of a number of synthetic heroin, heroin, and opium production operations.
- Liaison with Eastern Block Countries has steadily increased resulting in improved cooperation.
- DEA is proceeding with plans to open offices at key Southwest Asian heroin transiting countries such as Iran and Afghanistan.
- The ability of DEA to develop financial investigations should improve if tentative plans to open an office in Iran are realized.

* FAR EAST

- Despite the complex problems that exist in the Golden Triangle due to insurgency, lack of central government, and unstable political situation, advances have been made in this area. A much stronger commitment by USAID to increased enforcement activity. However, Southeast Asian heroin continues to be readily available in the region.
- As a direct result of DEA initiatives, host government law enforcement authorities are cooperating in sharing programs which has led to interdiction and controlled survey investigations not previously thought of.
- Financial investigations, which target major international trafficking groups, are continuing.

* PROGRAM EVALUATIONS

DEA has completed the process of returning all foreign regional offices to headquarters and subsequently direct reporting. The Paris Regional Office was transferred to headquarters in 1980, and the Bangkok and Mexico City offices returned in 1981. Some resource economies should result from full implementation of a direct reporting system. DEA will monitor closely the effectiveness of direct reporting to ensure that foreign program operations are not adversely affected.

Program measures include the following:

Item	1980	1981
Foreign cooperative cases initiated.....	684	659
Foreign cooperative arrests.....	1,106	1,344
Intelligence reports prepared 1/.....	45	45
Enforcement support activity 2/.....	240	225
Information responses 3/.....	1,449	2,200

- 1/ Reports describing developments and trends in drug trafficking, and situation and geographic survey reports, production, and movement.
- 2/ Enforcement support reports, including the development of biographical sheets, major organizational reports, trafficker network analyses, and case file research projects.
- 3/ Quick written and/or verbal responses to requests from DEA and other agencies.

Program change: The request also includes a reduction of \$230,000 and 9 workyears. The justification for this is in the section for Justification of Multi-Activity Program Decreases.

and promote voluntary compliance within the regulated industry.
ity and investigate G-DEP I and II registrant violators and provide state diversion programs with information and assistance which are not appropriate for Federal investigation.
t foreign governments with their regulatory programs, contact liaison and coordinate international diversion intelligence
ation.

as import/export transactions and prepare United Nations reports as required by the Single and Psychotropic Conventions.
diversion according to abuse potential and establish production quotas for Schedule I and II substances.
ss new and renewal registration applications and issue order forms for Schedule I and II substances.

Program Description: This program is responsible for preventing and attacking the diversion of controlled substances from
into the illicit market. This problem is addressed by both Federal and State Governments. The Federal effort is directed
diverters (G-DEP I and II) and those handlers of substantial quantities of controlled substances. The states are responsible
and enforcing compliance of the vast majority of these registrants; however, major diversions exceeding the Federal vi
s and those involved in multi-state operations require Federal attention. Other groups with an interest in reducing diversion
include the pharmaceutical industry and the medical professions. DEA supports and fosters self-regulation and self-enf
through active liaison and education. It should also be noted that the role of the Federal Government also includes
which are required by Federal statute or international treaties. The potential for others to perform these activities
tion, issuance of import/export permits, scheduling of drugs, establishment of quotas, etc., is minimal.

of legally produced drugs in the abuse problem is not well known. Five years ago, the President's Strategy Council on
that 7 million people used prescription drugs (barbiturates, amphetamines, tranquilizers for non-medical purposes. Au
ports that legal drugs are involved in as much as 70% of all drug-related injuries or deaths. DEA, through its Office of
ulatory Affairs, is the sole Government agency responsible for enforcing the provisions of the "Comprehensive Drug Abuse
rol Act of 1970" (P.L. 91-513, Controlled Substances Act) as they pertain to legitimately produced controlled substances.

616,000 registrants (manufacturers, distributors, and practitioners). This program serves all American citizens by en
manufacture of controlled substances does not exceed that amount required for medicinal use and by controlling the distribu
stances to prevent their diversion into illicit channels.

strong approach—prevention and detection—is taken by DEA to reduce drug diversion. Most of the diverse prevention aspect
by law. DEA conducts investigations on all applicants for DEA registration. This is the first line of defense against
illicit diverter. Compliance investigators destroy or witness the destruction of unwanted, surplus or seized stocks of contro
stances. Accomplished in a timely fashion, this greatly reduces the possibility of these drugs entering the illicit market.
the prevention effort is the Voluntary Compliance program which supports and fosters self-regulation and self-enforce
related industry and professions. Other preventive measures include the scheduling of substances and the establishment o
which effectively ensures necessary controls over and limit the production of dangerous and highly abused substances. Al
of controlled substances must annually register with DEA. Registration certificates and order forms for the purchase
substances are issued as appropriate.

on activities associated with international diversion include foreign regulatory programs established in both and Mexico
Initiatives with source or transit country foreign governments and the United Nations in requesting multinational co
the maintenance of DEA's system of control for imports and exports of controlled substances. As required by the Single
tropic Conventions, DEA provides quarterly and annual reports to the United Nations concerning import, export and product
es. As the United States is a party to these conventions, DEA must respond to U.N. World Health Organization inquiries
ing background papers for the U.S. Government's position on substances under consideration for international scheduling.

of drug diversion often goes hand-in-hand with prevention. An excellent illustration of this is the Cyclic Investigation
consists of regularly scheduled checks (generally every three years) on non-practitioner registrants designed to uncover e
inventory discrepancies, etc. In addition to detecting violations of this nature, the cyclic investigation program
t because every registered manufacturer or distributor knows that at some point in time its practices will be reviewed a
s could result in administrative, civil or criminal action. DEA has recently revised the criteria upon which cyclic
ations are based resulting in more workyears being devoted to potentially violative firms and less time spent on firms
n history or which do not handle the more common drugs of abuse.

ected Registrant Investigation Program (TRIP) is an outgrowth of Operation Script which showed that certain violative pr
DEP I and II level violators responsible for diverting millions of dosage units into the illicit traffic. The complexity
ations and the development of multi-state operations render it both impossible and inappropriate for states to address t
n problem without Federal assistance. DEA's targeting procedure consists of identifying violators by state. All violat
then ranked one through five according to anticipated priority for an investigation. These state lists are then combin
ranking. A profile is developed on all registrants on the prioritized list utilizing the Automated Reports and Compliance
ACKING, which tracks substance from point of distribution or export to the dispensing level, and the Drug Abuse Warning
which provides hospital emergency room and medical examiner data on drug abuse episodes, as well as other Federal inform
through this process certain violators will surface as clearly justifying Federal investigative effort in line with G
Preliminary investigations (generally less than 80 hours) are conducted to corroborate this. If a G-DEP I or II viol
n, the profile and all other available information are referred as an integrated package to the appropriate state, where
responsibility for practitioner diversion lies. Only the relatively few number of practitioner diversions on the point
al "violation pyramid" whose activities appear to be either of such a conspiratorial or violative nature as to warrant in
state Federal attention are referred to DEA compliance investigators for action. The vast majority of actions against pr
nants continues to be handled at the state level. Most states routinely request ANDOS profiles to assist them in conduct
nit investigations.

derived from legitimate sources, collected into counterfeit "Quaalude" in Colombia, South America, and smuggled into the United States. Seizures increased from 12,6 tons in 1980 to 51 tons in 1981. Continued action at these major producing countries has led to the availability of legitimately produced methamphetamine for illicit purposes. Intelligence sources indicate ignorance of illicit methamphetamine production. Also, it appears that other substances are being used to counterfeit "Quaalude" methamphetamine in increasing measure. The international cooperation program has also identified the diversion of several of the commonly produced substances. In international cooperation such as multilateral, and bi-lateral, drug seizures and chemical processing of diverted substances are continuing. These diverted substances are directed at methamphetamine (Quaalude), hydroxyzine hydrochloride, and phenylthiothiourea, which are well known for their abuse. Further directed at all levels of the legitimate drug market, respiratory and external stimulants and hallucinogenic compounds. This information will support continued action to reduce harm.

International cooperation program interfaces with trade and professional associations, University groups, and professional associations in self-regulation and self-police. In 1981, DEA participated in over 12 national meetings and received information from the DEA national exhibit and 29 portable exhibits.

Policy for the regulation of narcotic raw materials has been revised. This action was necessitated by international action as a result of the increasing number of seizures and the consequent invention for field work. The intent of this action is to reduce the number of seizures and the consequent invention for field work. The intent of this action is to reduce the number of seizures and the consequent invention for field work. The intent of this action is to reduce the number of seizures and the consequent invention for field work.

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Item	1980	1981	1982
Imported opium processed.....	102	532	841
Imported opium processed.....	141	126	156
Imported opium processed.....	1,433	2,014	1,500
Imported opium processed.....	2,081	2,141	2,204
Imported opium processed.....	3	4	4
Imported opium processed.....	206	204	206
Imported opium processed.....	1	11	12
Imported opium processed.....	444	444	444
Imported opium processed.....	614,085	624,014	616,008
Imported opium processed.....	320,524	126,600	122,250

The report also includes a production of \$250,000 and 10 workdays. The production for this production is \$250,000 and 10 workdays. The production for this production is \$250,000 and 10 workdays.

Type	1982 Appraisal for Federal and local law enforcement			1983 Appraisal for Federal and local law enforcement			1984 Appraisal for Federal and local law enforcement		
	Perm.	WY	Amount	Perm.	WY	Amount	Perm.	WY	Amount
Imported opium processed.....	49	48	\$2,987	49	48	\$1,012	49	47	\$1,151

Policy for the regulation of narcotic raw materials has been revised. This action was necessitated by international action as a result of the increasing number of seizures and the consequent invention for field work. The intent of this action is to reduce the number of seizures and the consequent invention for field work. The intent of this action is to reduce the number of seizures and the consequent invention for field work.

...for the purpose of providing the necessary training and technical assistance to State and local law enforcement agencies and personnel. The Department has primary responsibility for developing a national drug abuse control strategy. The enforcement, drug supply suppression, and prevention programs must be adequately communicated to State, local, military, and other Federal officials if DEA's national strategy is to have full impact.

...total manpower being brought to bear against the illicit drug traffic is increased and made more efficient at State, local, military, and other Federal law enforcement agencies can be sufficiently trained in up to date in the skills peculiar to drug law enforcement and suppression. This approach also frees Federal resources for concentration on high level national and international drug trafficking organizations.

...ing strategies, like the increasing emphasis on the financial aspects of drug enforcement, require an intensified effort through the use of specialized training programs so that new techniques can continue to be conveyed to these non-DEA participants in prosecutive means of controlling the drug abuse problem.

...the exception of the Forensic Chemist Seminars, those State and local training programs previously conducted at DEA Headquarters were transferred at the Federal Law Enforcement Training Center (FLETC), Glynn, Georgia. These programs and those conducted in the field include a variety of basic, advanced, specialized, management, leadership, and methods of instructional training. (The forensic chemist seminar remains in Washington, D.C., because there is no laboratory at FLETC). The general public and community leaders are reached through publications, displays, and conferences concerning the awareness and prevention of drug abuse.

...had experienced a decline in enrollment in the program conducted by the National Training Institute at Headquarters due to the expense of lodging and meals in the Washington, D.C., area, coupled with the reduced DEA funding for State and local assistance. The relocation to FLETC has enabled law enforcement agencies to provide the necessary funding for their officers' attendance at DEA sponsored training programs.

Achievements and Workload: DEA is constantly shifting emphasis in training programs based on changing trends in the illicit traffic in narcotics and dangerous drugs. There is a continuing demand for advanced and specialized skills training such as computerized, toxicological, and clandestine laboratory investigations, criminal compliance, etc.

...resources include the following:

Item	1980	1981	1982	Estimate
State and local officials				
Training programs conducted by Headquarters	26	20	24	
Training programs conducted by regions	182	77	125	
per day	14,565	16,102	44,400	

Program Change: The request also includes a reduction of \$29,000 and 1 workyear. The justification for this reduction is found in the section for Justification of Multi-Activity Program increases.

Activity: Enforcement of Federal Law and Investigations	1982 Appropriation			1983 Base			1983 Estimate			Increase/Decrease	
	Anticipated			1983			1983			1983	
	Perm.	NY	Amount	Perm.	NY	Amount	Perm.	NY	Amount	Perm.	NY
State and local laboratory services	22	22	\$1,375	22	22	\$1,575	22	21	\$1,546	...	-1

Range Goal: Provide support to State and local law enforcement agencies engaged in drug prosecutions through analysis of drug evidence and assist State and local agencies to achieve forensic analytical self-sufficiency.

Objectives:

1. Assist State and local laboratories to achieve self-sufficiency through the following:
 - a. Publication of technical information and participation in national and local forensic science meetings.
 - b. Providing training in forensic drug analytical techniques.
 - c. Supporting programs that assist in enhancing State and local laboratory capabilities (participation in American Society of Criminal Laboratory Directors, American Academy of Forensic Scientists, and regional professional associations).
2. Provide quantitative and qualitative analysis of drug evidence for those agencies that do not have laboratories and/or difficult to analyze exhibits requiring highly specialized examinations for those agencies that have laboratories but do not have the necessary expertise or instrumentation.
3. Provide expert testimony in courts relative to analytical findings for prosecutive purposes.
4. Provide analytical drug reference standards where there is no commercial source.
5. Conduct ballistics examinations of tablets and capsules to identify common origins of clandestinely produced dosage units and to identify illicitly-manufactured dosage units diverted to the illicit market.
6. Assist the Federal Bureau of Investigation (FBI) by providing reference materials for their centralized automated data system for on-line retrieval of infrared spectral data—Criminalistics Laboratory Information Services (CLIS).

Program Description: The State and Local Laboratory Services program is responsible for providing technical assistance to State and local law enforcement agencies which is beyond the expertise of the forensic laboratory servicing the agency and for helping State and local forensic laboratories achieve self-sufficiency in the analysis of drug evidence for criminal investigations and prosecutions.

Additionally, DEA assists other agencies to achieve forensic analytical self-sufficiency by conducting training techniques, publishing and distributing the scientific newsletter Microgram, which provides intelligence and training to the forensic community, publishing technical information in scientific journals, participating in national and local providing analytical drug reference standards.

This program also analyzes drug exhibits in a timely manner to assist in complying with State Speedy Trial provisions, provides expert testimony and conducts highly-specialized ballistics analysis of tablets and capsules, origins of illicit and illicitly-produced dosage units diverted to the illicit market. Expertise in the ballistics dosage units rests solely with DEA.

DEA renders forensic analytical support to the Metropolitan Police Department, Washington, D. C. (MPDC). More exhibits DEA analyzes for other agencies are submitted by the MPDC, which is completely dependent on DEA for forensic support. Related to this analytical commitment is the resultant need to offer expert witness testimony in the D.C. Superior Court.

In general, other evidence analyzed within the State and local program is of an unusual or difficult nature which laboratory system as an aid to State and local forensic laboratories less capable of performing such analyses.

Accomplishments and Workload: In support of other agency drug investigations during 1981, DEA laboratories analyzed evidence, testified in 244 trials, conducted 417 ballistics examinations, published 12 issues of Microgram, and local Forensic Chemist Seminars to train over 60 chemists. Additionally, DEA actively participates in regional and international forensic science organizations by holding officer positions, participating on committees, and presenting papers.

The success of this program in assisting self-sufficiency of state and local agencies can be partially measured by evidence analyses from almost 16,000 in 1975 and 1976 to just over 9,500 in 1979 and 1980. In 1981 there were 10,712 analyses conducted for this program. A further reduction to 6,000 analyses is predicted for 1982 and 1983, as a result of policy on acceptance of State and local evidence and designated priority. At these levels, approximately 80 percent generated by the Metropolitan Police Department, Washington, D.C., which does not have its own laboratory and the remaining 20 percent is submitted by the 50 states and numerous local law enforcement agencies.

Program measures include the following:

Item	1980	1981
Drug exhibit analyses.....	11,767 1/	10,712 1/
Ballistics examinations.....	246	417
Issues of <u>Microgram</u>	12	12
Training conducted (seminars).....	4	4
Court appearances.....	211	244
Evidence turn-around time (days).....	22	11
Evidence backlog.....	610	327

1/ Includes analyses for other Federal agencies.

Program change: The request also includes a reduction of \$29,000 and 1 workyear. The justification for this is found in the section for Justification of Multi-Activity Program Increases.

Activity: Enforcement of Federal law and investigations	1982 Appropriation Anticipated			1983 Base			1983 Estimate		
	Ferm.			Ferm.			Ferm.		
	Pos.	NY	Amount	Pos.	NY	Amount	Pos.	NY	Amount
Subactivity: State and local assistance									
State and local task forces....	114	110	\$11,370	114	110	\$12,305	114	107	\$12,240

Long Range Goal: To complement the Federal drug enforcement effort by increasing the effectiveness of State and local law enforcement activities aimed towards disruption of all levels of illicit drug trafficking.

Major Objectives:

- * Achieve measurable progress in orienting task force enforcement efforts towards all levels of the illicit drug of abuse (heroin) as determined by the social harm and violent crime being experienced in the respective areas.
- * Achieve, within the framework of the drug priorities, a measurable upgrade of the level of the violators being caught.
- * Provide technical and operational intelligence to the task force participants and to other Federal drug enforcement agencies.
- * Develop an effective cadre of State and local officers, thoroughly trained and experienced in proven drug enforcement techniques such as a force for maximum effectiveness.
- * Provide investigative cases with high potential for further development by other Federal drug enforcement agencies.
- * Encourage State and local agencies to assume a greater portion of the costs of Federal/State and Local Task Forces.

Base Program Description: The DEA/State and Local Task Force program brings DEA agents and State and local police officers into cohesive organizational units in diverse areas of the country in order to assure attention to drug enforcement, interagency cooperation, and intelligence exchange on a continual basis.

their office.

State and local Task Force program has proven itself an effective complement to the Federal drug enforcement effort by increasing the effectiveness of State and local drug enforcement activities aimed towards disruption of all levels of illicit drug trafficking. Comprehensive national and international drug effort by Federal elements and their State, local, and foreign counterparts. The program plays a critical role by attacking the mid-level violator, the link between supplier and consumer. With removal of the cycle of drug production and consumption--supply and demand--would be broken. In addition, the Task Force program provides to the lower levels of the trafficking spectrum, where investigations of new or unknown trafficking organizations are generally, without investment of Federal effort against traffickers at the street level.

Investigations and workload: In 1981, the Task Forces have continued to elevate the level of case in which they have become involved. Increasing resources to bear on drug law enforcement with a smaller Federal force. In 1981, approximately 46 percent of investigative manhours have been directed at heroin traffickers, an area where efforts against the mid-level violator are concentrated. The overall Task Force conviction rate for 1981 is expected to be approximately 93% in Federal courts and approximately 90% in State courts. It is significant to note that, while DEA has invested only 9.8% of its total investigative manhours to Task Force cases have consistently achieved over 2,000 arrests per year. Approximately 30% of Task Force arrests continue to be in the heroin category. In 1981, 67% of Task Force investigative manhours were devoted to Class I and II investigations. Task Force Class I and II cases have increased approximately 26% between 1980 and 1981.

Federal/State and Local Task Forces are well established and fully operational in 18 cities: Buffalo, Chicago, Denver, Guam, Los Angeles, Lubbock, Minneapolis, Newark, New York, Orlando, Philadelphia, Phoenix, Rochester, San Diego, San Jose, St. Louis, and, D.C.

measures include the following:

Item	1980	1981	1982	Estimated
Investigative work hours by class of case.....	195,490	199,515	195,000	
I.....	88,744	104,858	101,400	
II.....	29,085	28,511	27,400	
III.....	64,422	57,006	56,500	
IV.....	13,239	9,134	9,700	
by class of case.....	2,776	2,650*	2,700	
I.....	405	460	470	
II.....	326	360	370	
III.....	973	940	950	
IV.....	992	890	910	

*Based on a 9-month statistics.

Changes: The request also includes a reduction of \$57,000 and 3 workyears. The justification for this reduction is found in the Section for Justification of Multi-Activity Program Increases.

Intelligence

	1982 Appropriation			1983 Base			1983 Estimate			Increase
	Perm.	Pos.	WY	Perm.	Pos.	WY	Perm.	Pos.	WY	
Intelligence.....	366	363	\$17,797	366	363	\$19,264	366	354	\$19,034	...

Page One: To develop and maintain an international drug intelligence system that provides a wide range of tactical, operational products and services required by DEA and other Federal, State, and local agencies for use in policy development, enforcement operations to promote the most effective utilization of resources.

Organization Plan No. 2 of 1973 requires that DEA develop and maintain a National Narcotics Intelligence System in cooperation with Federal, State, local, and foreign officials. Legal authorization for this program is contained in Executive Orders 11727, 11677, and Attorney General's Order 520-73; and the Controlled Substances Act. In addition, Section 503 (b)(4) of the Controlled Substances Act directs the Attorney General to "maintain in the Department of Justice a unit which will accept, catalog, file, and otherwise disseminate information and statistics, and make such information available for Federal, State, and local law enforcement purposes."

Objectives:

Collect and disseminate strategic intelligence to provide management at all levels with the information needed to apply resources effectively and appropriately.
Provide funds and support for Special Field Intelligence programs to identify and fill critical information gaps in drug production and distribution.
Coordinate law enforcement activities by providing tactical and operational products and services which identify and analyze drug traffickers and their organizations.
Exchange intelligence information with worldwide counterparts and cooperating agencies in order to provide optimum support to enforcement operations.
Provide intelligence support to Federal, State and local law enforcement organizations through the use of Interagency Resource Center (EPIC).

technology or improved technology and procedures to increase efficiency of agency field operations by developing and applying research and engineering development.

The scientific and technological information, training, consultation and liaison services for DEA and other law enforcement agencies.

Program Description: The Research and Development program supports DEA's enforcement and intelligence efforts and consists of:

Technology Development for new and improved technology to support agency field operations and long-range operational requirements. Special applications are special protective equipment for special agents, vehicle tracking equipment and various types of equipment.

Quick Reaction Support for coping investigations in terms of short-term technical development and special engineering services. Special applications are for covert installations of surveillance equipment, technical investigative equipment modifications and tape enhancement.

Design and Engineering Design Studies are conducted for major system acquisition and mission-oriented programs. Typical examples include communications configurations, Voice Privacy radio communications systems and Automatic Data Processing (ADP) systems.

Inputs and Workload:

Input inputs under the technology development objectives are defined as requests/requirements for the application of new technology or improved technology which will usually require (1) contractor support, (2) a funding level of \$50,000 to \$500,000, and (3) one to three years to complete. There were six stipulation developments completed in 1981 which consisted of covert tracking systems, personal special agent safety devices and covert radio-controlled systems. During 1982, four developments were completed and are now undergoing operational test and evaluation. During 1983, three will be the operational deployment of equipment and the start of five new developments.

Technical Services consists of Quick Reaction Support (QRS) requests initiated by special agents and require a short response time, usually from a few hours to several days. This direct support of field operations includes the design and fabrication of field devices and tracking transmitters such as the concealment of these devices in assorted packages, the preparation of audio-narratives, and audio tape recording enhancement which significantly enhances the intelligibility of tape recordings in laboratory situations. Off-the-shelf hardware of prior developed techniques and materials are generally used for these efforts. QRS and 10 tasks were completed. In 1982, 250 QRS and 10 tasks will be completed. In 1983, 300 QRS and 16 tasks are planned. Research and Engineering Design Studies workload inputs are requests/requirements for the analytical support for major studies and projects. Based upon the estimated size of effort required, they are usually completed within two years with the publication of a Technical Memorandum or prototype equipment. Major studies usually require support with funding levels of \$50,000 to \$500,000 and more than two years to complete. There has been an effort to perform more studies with in-house staff requiring 3 months for a study and more than 6 months to complete. This change in emphasis toward in-house efforts increases cost efficiency in dollar expenditures.

During 1981, some of the major efforts completed were analysis of DEA Radio System and DEA's Radio System Voice Privacy System. In 1981, the following tasks were completed: Support to DEA Scientific Working Group technical analysis of investigative methodology and feasibility of treating data from chemical analysis statistically to identify the area of origin of opium. Development of a voice privacy radio system for DEA will continue as the major activity for 1982-1983. In 1983 an operational test and evaluation of an earth-orbiting satellite radio communication system is planned to support field operations in remote locations.

Support Operations

	1982 Anticipated			1983 Base			1983 Estimate			Increase	
	Perm. Pos.	NY	Amount	Perm. Pos.	NY	Amount	Perm. Pos.	NY	Amount	Perm. Pos.	NY
Laboratory services.....	182	183	\$9,581	182	183	\$10,423	182	178	\$10,100	...	...
Training.....	26	25	2,203	26	25	2,378	26	24	2,349	...	...
Field operations.....	119	117	13,633	119	117	14,464	119	113	14,378	...	...
	327	325	25,417	327	325	27,265	327	315	27,035	...	...

Laboratory encompasses laboratory analysis of evidence in support of investigation and prosecution of drug traffickers; training for all levels of DEA operational personnel; and provision of technical investigative resources and expertise at levels commensurate with DEA's enforcement initiatives and strategies.

	1982 Anticipated			1983 Base			1983 Estimate			Increase	
	Perm. Pos.	NY	Amount	Perm. Pos.	NY	Amount	Perm. Pos.	NY	Amount	Perm. Pos.	NY
Laboratory services.....	182	183	\$9,581	182	183	\$10,423	182	178	\$10,308	...	...

Program Goals: Support the enforcement mission of DEA through analysis of drug evidence and related forensic services by meeting laboratory needs of DEA's enforcement and intelligence activities. Additionally, other Federal and foreign law enforcement agencies will receive the training and assistance required to complement and enhance the mission of DEA.

Objectives:

Compliance with the Speedy Trial Act of 1974 by timely analysis of drug evidence. Contribution to the successful prosecution of drug law violators through the presentation of expert testimony in court. Provide field assistance (clandestine laboratory investigations and seizures and vacuum sweeps) to special agents. Assist in the development of conspiracy cases, the monitoring of foreign drug distribution patterns, and the determination of illicit substances in illicit channels by conducting in-depth and signature analyses. Obtain information on the retail level price and availability and the domestic distribution patterns of heroin through analysis of Domestic Monitor program evidence. Conduct ballistics examinations on tablet, capsules, and papers to identify common origins of clandestinely produced dosage units. Identify illicitly manufactured dosage units diverted to the illicit market.

Enhance forensic capabilities of law enforcement agencies worldwide by conducting a series of technical assistance programs, including laboratory cooperation, consultation, and training.

incorporated within the DEA laboratory services program is the system to retrieve information from drug evidence of interest to the DEA laboratories. STRIDE provides data regarding evidence examined by DEA laboratories to produce information to determine trends in drug abuse and trafficking of narcotics, to warn of new drugs of abuse, and to identify controlled drugs. The system is also used to provide information on illegal distribution of illicitly-produced drugs, data on the street, statistics on drug removal, and a system for monitoring the locations of evidence items. Information is provided to local, State, Federal, and foreign law enforcement agencies. STRIDE is also a management tool to assess laboratory effectiveness and allocate resources. The sub-system of STRIDE are: laboratory analysis program, laboratory manpower utilization program and evidence inventory program.

The expeditious analysis of drug evidence and the presentation of expert testimony in court is essential to the arrest and prosecution of drug law violators and is therefore the primary purpose of the DEA laboratory system. The timely evidence is an integral aspect of DEA's compliance with the Speedy Trial Act of 1974.

DEA forensic chemists also provide field assistance (clandestine laboratory investigations and seizures and undercover agents and compliance investigators).

DEA's laboratories are called upon with increasing frequency to provide information on the retail level availability of the United States illicit market. The Domestic Monitor program requires subjecting street level heroin analysis as well as qualitative and quantitative analysis to obtain price/purity data. This approximately tripling each exhibit, but provides strategic intelligence information on area of origin determinations in addition to a retail level.

Additionally, DEA laboratories assist other Federal agencies such as the Federal Bureau of Investigation, Coast Service, Army Criminal Investigative Division, Marine Corps, National Park Service, Immigration and Naturalization Service Administration through the analysis of drug evidence, providing court testimony, and training.

Accomplishments and Workload Program measures included on the following page.

Program measures include the following:

Item	1980	1981
Drug exhibit analyses.....	21,394	19,075
Ballistics examinations.....	1,109	2,026
Heroin Signature analyses.....	1,142	1,789
Training conducted.....	...	1
Court appearances.....	678	676
Field assistance on clandestine laboratory raids.....	163	123
Evidence turn-around time (days).....	16	13
Evidence backlog.....	1,000	733
Domestic Monitor program exhibit analyses.....	398	457

Program Change: This report also includes a reduction of \$115,000 and 5 workyears. The justification for this is in the section for Justification of Multi-Activity Program Decreases.

	1982 Appropriation Anticipated			1983 Base			1983 Estimate		
	Perm.	WY	Amount	Perm.	WY	Amount	Perm.	WY	Amount
DEA training.....	26	25	\$2,209	26	25	\$2,370	26	24	\$2,349

Long Range Goal: To develop and maintain a sophisticated and professional workforce which will effectively implement and provide leadership in drug law enforcement. Statutory authority for the training program is the Comprehensive Drug Control Act of 1979 (21 U.S.C. 910-966), the President's Reorganization Plan No. 2 of 1973, and Office of Personnel Management Chapter 410 of the Federal Personnel Manual.

Major Objectives:

- 1. Provide entry-level training for DEA special agents, compliance investigators, and intelligence analysts.
- 2. Provide advanced and specialized investigative skills training for investigative and technical personnel.
- 3. Produce audio-visual tape training programs for use by DEA personnel.
- 4. Provide supervisory and mid-level management training for core-occupation personnel.

Base Program Description: This program provides entry-level and specialized training for DEA personnel to build a sophisticated and professional workforce capable of providing leadership in drug law enforcement. This training provides availability of well-trained personnel to perform those functions as mandated to DEA by the Controlled Substances Act that takes advantage of the most modern and innovative techniques known to counteract increasingly sophisticated drug operations. Operational personnel must receive training at all levels of career development in order to perform the special Drug Enforcement Administration.

participating in the development of training programs to be conducted jointly with FLETC. Training courses in Marine Law Enforcement will enhance our agents' capabilities to operate in the type of investigations characterized by "Operation Grouper." The program in officer survival will serve to update and reinforce the agent's previous training in those skills needed to cope with violence being encountered in drug investigations.

measures include the following:

Item	1980	1981	1982	Est.
Personnel:				
11-level training programs.....	5	4	5	
Speed and specialized skills programs.....	41	9	14	
Foreign language (Individuals).....	103			
Visual instruction productions.....	6	6	10	
Training days.....	11,345	10,990	12,220	

Change: The request also includes a reduction of \$29,000 and 1 workyear. The justification for this reduction is found in the section for Justification of Multi-Activity Program Increases.

Item	1982 Appropriation Anticipated			1983 Base			1983 Estimate			Increase
	Firm.	Perf.	Pos.	Firm.	Perf.	Pos.	Firm.	Perf.	Pos.	
Technical operations.....	119	117	\$13,631	119	117	\$14,464	119	113	\$14,370	...

Program Goals: To support the mission of DEA by providing radio communications and technical/investigative systems, equipment and support in support of enforcement activities; and provide responsive and effective air support to DEA investigations.

Objectives:

- Provide support, whether it be direct technical/investigative assistance or equipment, at all levels of DEA's law enforcement activities.
- Provide sufficient technical personnel to properly maintain, install, and monitor the performance of DEA's investigative equipment.
- Provide a ratio of one portable radio for every two special agents and supply 901 of DEA's special agents with mobile radios.
- Provide DEA's long-range communications needs by operating a High Frequency/Single Side Band (HF/SSB) network.
- Provide the training of special agents and technical personnel on technical investigative and radio equipment.
- Obtain an accurate inventory of technical, investigative, and radio communications equipment to ensure the maximum utilization by DEA law enforcement personnel.
- Provide other Federal, State, and local law enforcement agencies with equipment and expertise on a priority basis.
- Install and maintain a voice privacy network on DEA's VHF and HF/SSB radio communications equipment.
- Obtain an established aircraft fleet of sufficient size and appropriate operational characteristics to support the DEA enforcement requirements.
- Obtain a cadre of properly qualified and safety conscious agent/pilots, who possess a thorough knowledge and understanding of law enforcement mission and the requirements of the DEA units they support.
- Employ DEA aviation resources in the most effective and cost beneficial ways for maximum agency accomplishments.

Program Description: The Technical Operations program supports DEA law enforcement through personnel and equipment resources in areas having the most critical need for technical support and expertise. Special agents and professional/technical personnel and maintain radio and other technical investigative equipment and aircraft are assigned to headquarters and designated areas.

Long-range communications support is accomplished by a combination of DEA-owned mobile and base stations, High Frequency/Single Side Band (HF/SSB) radio, and the contracted services of Rockwell Collins in Cedar Rapids, Iowa, where the Collins Control Center provides support to DEA's long-range communications system.

The aviation program supports the enforcement mission with a total of 40 aircraft. The aircraft fleet is comprised of four Cessna 441 helicopters, eight light twin-engine airplanes, one large twin-engine aircraft, and 27 light single-engine aircraft. The current value of all aircraft is estimated to be \$6 million.

The current 40 aircraft fleet has been acquired through transfer of aircraft from other agencies (3); transfer of aircraft from other agencies (16); purchase of aircraft from commercial sources (11); and transfer of seized aircraft from the courts (10). These aircraft have a life span from two to 35 years. To meet DEA needs, an aircraft replacement plan has been implemented.

Aircraft and pilots are strategically located to assure coverage to as many enforcement units as possible. From these bases, air support is provided to DEA enforcement operations in geographic areas consistent with the capabilities of the aircraft.

The Technical Operations program addresses the problem of increasing the effectiveness and safety of DEA special agents by providing technical investigative and radio equipment and expertise to these agents. Drug traffickers are growing more sophisticated in their illegal activities. The use of aircraft, boats, electronic equipment and counter-surveillance devices presents DEA and other law enforcement agencies with serious investigative and security problems. Inexpensive "banners" can and have intercepted DEA's

and a 200% increase in the use of the 24-hour covert video installation was experienced. The covert aircraft in 1981 resulted in an approximate 100% increase in drug and aircraft seizures.

DEA has continued to proceed with the planned introduction of voice privacy into the INTCOM system. Preliminary construction and the Operation Test and Evaluation (OT&E) has been completed.

The aviation support program was more effective in part to the introduction of two new twin-engine aircraft into the program with navigation devices, which provide latitude and longitude positions of the aircraft, and search radar units. Coverage for ships at sea, these aircraft have furnished more accurate air intelligence data. Both aircraft began the need to increase intelligence collection of ship and aircraft movements was rapidly increasing.

Twin-engine aircraft were used extensively in over-water search missions and in international operations which a total flight missions conducted in 1981. In 1981, pilots participated in 309 overwater operations. Over 100% of the total flight missions flown. Cocaine case support accounted for 13.5% of the total flight missions conducted. Support accounted for 12.5% of the total flight missions. Aviation support was especially cost effective in conducting laboratory investigations. Many of the laboratories were purposely established in remote, poorly accessible areas. Many cases aircraft were the only effective means of surveillance. A total of 53 (28%) of the 192 clandestine in 1981 were the direct result of aviation support.

The number of missions completed in 1981 rose to 4,499 from 4,059 in 1980, an increase of 11%.

Program measures include the following:

Item	1980	1981
Technical operations direct case support.....	1,016	1,012
Aviation missions completed.....	4,921	5,662
Aviation missions completed.....	4,059	4,499

Program Change: The request also includes a reduction of \$86,000 and 4 workyears. The justification for this is 57 in the section for Justification of Multi-Activity Project Increases.

Activity: Program direction	1982 Appropriation Anticipated				1983 Base			1983 Estimate			
	Perm.				Perm.			Perm.			
	Pos.	MY	Amount		Pos.	MY	Amount	Pos.	MY	Amount	
Executive direction and control.....	263	262	\$10,846		263	262	\$11,838		263	255	\$11,666
Administrative services.....	113	112	5,761		113	112	6,192		113	110	6,115
Total.....	376	374	16,607		376	374	18,030		376	365	17,801

This activity includes the resources dedicated to the overall administration and management of the Drug Enforcement Administration. The activity consists of the following two programs: Executive Direction and Control and Administrative Services. Included are development and implementation; congressional and public affairs; legal counsel; management direction; program budget preparation and financial management; internal security; field evaluation; freedom of information and privacy management; equal employment opportunity; medical and safety programs; and general administrative support services.

	1982 Appropriation Anticipated				1983 Base				1983 Estimate			
	Perm.		Pos.		Perm.		Pos.		Perm.		Pos.	
	Pos.	MY	Amount		Pos.	MY	Amount		Pos.	MY	Amount	
Executive direction and control.....	263	262	\$10,846		263	262	\$11,838		263	255	\$11,666	

Long-Range Goal: Maintain and develop management functions which effectively and efficiently develop and implement the decision-making process.

Major Objectives:

- Provide management direction and control through policy development, organizational and program planning, and systems.
- Monitor and evaluate all priority programs within DEA.
- Develop legislative and administrative proposals as a means of improving the functioning of the criminal justice system.
- Provide budget formulation, execution, and administrative capabilities and improve control of expenditures.
- Direct and coordinate administrative control and service functions.
- Provide information to specific interest groups and to the general public, regarding DEA's mission and activities.
- Reduce the instances of integrity misconduct breakdowns within DEA and provide and maintain a secure environment.
- Provide Congress the information necessary to carry out legislative and oversight responsibilities.
- Provide full range of legal services to DEA management and agency personnel.
- Process all Freedom of Information/Privacy Act (FOI/PA) requests in a manner which will allow DEA to show that it is being made to comply with the law, and to adequately defend DEA's position in FOI/PA litigation.

Report Preparation, Special Analyses, Appropriation Accountability, and Financial Data Collection and Disbursement. Filing and preparing agency responses to requests made pursuant to the FOI/PA to include reviewing of each document with the filing maximum release to the public and responding to administrative appeals and litigation which result from challenges to the release of information.

Organizing the legal counsel program around a functional concept with individual attorneys specializing in assigned areas of law. This includes preparation of briefs, opinions and presentations in the following areas: regulatory matters, civil litigation, criminal law, training, personnel and EEO matters, management and procurement issues, international matters and the Privacy Act and Freedom of Information Act at a variety of administrative hearings.

Ensuring the integrity of DEA personnel through a prompt and thorough investigation of possible illegalities or misconduct on the part of employees, and the employment of a set of preventive programs designed to discourage integrity breaches, criminal behavior, and drug use. The integrity control program is accomplished through the utilization of standard investigative and reporting techniques, the dissemination of relevant facts upon which DEA management can take appropriate corrective measures. Through the security function programs for security programs, monitoring of security investigations, physical security surveys, and ADP surveys is carried out.

Ensuring a public responsibility to apply its resources in the most efficient, economical, and effective manner possible. Where the concept of accountability for actions and performance which can only be achieved through proper executive management.

The primary clients served by this program are the personnel of the Drug Enforcement Administration, while the ultimate clients are the public, other Federal, State, and local law enforcement organizations, other Federal departments, and foreign governments.

Programs and Workload: During 1981, the Model Drug Paraphernalia Act, drafted by the Office of Chief Counsel has been adopted by the states and the Model forfeiture of Drug Profits Act, also drafted by the Office of Chief Counsel, has been adopted in several states under consideration in several others. The office continues to develop an increasing workload in vehicle and asset seizure and administrative hearings.

The Office of Information Division has produced an exemplary success rate with respect to sustaining DEA's processing of requests for information, appeals and lawsuits. While successful compliance with certain statutory time requirements has been marginally achieved, dissemination of information within the law has been excellent. The application of the permissible exemptions to all requests relate to protecting active, ongoing investigations and the safety of DEA employees and of sources of information, has been consistently applied.

The change of Station (FBI) travel advance procedures were centralized in DEA Headquarters to effect better obligation management, improve timeliness of voucher submissions, and eliminate fragmental administrative responsibilities.

The overall reduction in outstanding travel advance balances of approximately 9% was achieved during the year as the result of an emphasis on the need for frequent monitoring of accounts and tighter fiscal controls. The centralization of all Form 1041 advances has also contributed to the reduction. A pocket-sized Temporary Duty Travel Handbook was published as a result of the change in travel status.

The Office of Planning and Evaluation produced a recurring reports study which will serve as a guide to field managers and which will eliminate many unneeded reports. Management of DEA and FBI investigative activities will be coordinated to insure that resources will be utilized to the fullest extent in drug enforcement activities. Three studies to improve methods and save resources have been undertaken in the areas of duplicating equipment, shifting from an annual to a three-year registration cycle, and timeline for security clearances. The system to follow-up on directives has been improved through automation. A study of control of field offices with high expenditures and resulted in implementation of cost-saving procedures. The Office of Planning and Evaluation is to refine various evaluation systems (field evaluations, annual program reviews, and special studies) to improve the effectiveness of management.

Changes: The request also includes a reduction of \$172,000 and 7 workyears. The justification for this reduction is found in the section for Justification of Multi-Activity Program Decreases.

	1982 Appropriation Anticipated			1983 Base			1983 Estimate			Increase Perm. Pos.
	Perm.			Perm.			Perm.			
	Pos.	HY	Amount	Pos.	HY	Amount	Pos.	HY	Amount	
Administrative services.....	113	112	\$5,761	113	112	\$6,192	113	110	\$6,135	...

Program Goals: Provide effectively and efficiently the following administrative services for all DEA elements: personnel, human resources development, equal employment opportunity, equipment needs, and general support services.

Objectives:

- Provide an effective and efficient personnel operation in all areas of responsibility.
- Provide a responsive recruitment program.
- Conduct a sound program of position classification.
- Administer an active incentive awards program.
- Conduct an objective evaluation program of the agency's personnel management activities.
- Administer a fair program of discipline, grievances and appeals.
- Administer the Merit Pay program.

- Acquire and maintain adequate facilities, vehicles, supplies, and equipment.
- Provide adequate office facilities to meet DEA requirements.
- Provide an adequate and efficient fleet of motor vehicles to meet drug law enforcement needs.
- Provide and maintain furniture and non-technical equipment.
- Provide various other general support services.
- Provide artwork, library services, and efficient office services.
- Provide an efficient contracting, procurement, and transportation program.

Base Program Description: The Administrative Services program provides the necessary support services to enable the Administration to carry out its mission in the most effective and efficient manner possible.

All elements and personnel of the Drug Enforcement Administration are served by this program as follows:

- The personnel management provides the following services: career planning, executive and salary labor relations pay and position management, and staffing and benefits management. Staff employees must be written, interpreted, and disseminated, while operating employees ensure that programs are properly implemented.
- Civil Service Reform Act (CSRA) many old policies have been rewritten and new policies have been formulated.
- The medical program includes the scheduling of physical examinations of employees selected for overseas assignments. Physical examinations are also conducted on an annual basis for all special agents and chemists.
- devoted to job-related medical services and safety.
- The Equal Employment Opportunity (EEO) program continuously reviews all employment and management practices for the elimination of any artificial or unnecessary barriers to the hiring, training, and advancement of members.
- Through the EEO program prompt and impartial consideration is given to informal or formal complaints of discrimination.
- Vehicles are replaced as they become either economically or mechanically deficient according to General Service Administration (GSA) criteria and GSA resource availability in order to maintain a safe and efficient motor vehicle fleet. Use of equipment is supplemented by suitable seized vehicle resources following administrative or judicial forfeitures.
- The management and coordination of actions relating to facilities is carried out in cooperation with GSA.
- The use of furniture and equipment at headquarters and in the field is monitored to insure that it is properly utilized.
- The requests for materials and purchase orders are negotiated and executed to assure compliance with GSA rules and regulations. The necessary services in the arranging of transportation for employees and property are provided.
- The maintenance of adequate stocks of office supplies, stationery, forms, directives, and manuals through activity is operated; a variety of office furniture and equipment moves at headquarters are coordinated. A printing facility is operated and all incoming, outgoing, and interagency mail is received, processed, and distributed.
- headquarters elements and/or other agencies.
- Visual services are provided through an "in-house" graphic arts program. Reprintments which exceed "in-house" capabilities are reviewed, coordinated, and contracted out to approved commercial vendors.
- Reference materials (journals, Congressional reports, etc.) relating to narcotic and dangerous drug research are maintained in a cataloging/retrieval system for this information is maintained.
- The Administrative ADR systems provide information and reports in such areas as Vehicle Management, Drug Statistics, All Narcotic Reporting, Privacy Act, Ceiling Control, and other managerial functions.

Accomplishments and Workload: In compliance with the Civil Service Reform Act, a new performance appraisal system (Merit Pay System) placed into effect in DEA. All supervisors and managers have received training in the new system. The Federal Equal Opportunity Recruitment program for DEA has been published and implementation has begun. An Executive Order granting non-competitive conversion to career status for eligible special agents serving in the field.

The EEO program has made significant progress in achieving its major objectives in several areas. Minority representation has increased 25% in 1981.

During 1981, a contract was let for initiating the external contractor component of the Employee Assistance Program.

A new control system has been instituted in the copying/reproduction system to fully document and control all changes and/or other actions received from headquarters and field units.

New procedures have been instituted in Office Services to eliminate duplication of supplies and reduction in stockpiles.

Significant improvements were made during 1981 in the arrangements of household goods shipments originating from the International Through Government Bill of Lading (ITGL) method. The ITGL has resulted in a less cost for moving DEA employees' household effects from overseas to CONUS and intra-foreign country moves.

Airlines ticketing machines were installed in the Miami Regional Office and the Glynn, Georgia Training Center with the headquarters automated reservation and ticketing system (BARBUS). Use of these machines effects a savings in the purchase of tickets.

Microfilm of the Federal Register and GAO unpublished decisions (1955-1979) were purchased. These additions increase the availability of manpower, material, dollars, and space.

Program Change: The request also includes a reduction of \$57,000 and 2 workyears. The justification for this is found in the section for Justification of Multi-Activity Program Decreases.

Base Program		Priority Rankings
Program	Ranking	
Domestic Enforcement	1	DEA Training
Foreign Cooperative Investigations	2	Executive Direction
Intelligence	3	Administrative Services
DEA Laboratory Services	4	State and Local Task Forces
Technical Operations	5	State and Local Training
		Research and Development
		State and Local Laboratory Services

	1982	1983	1984
Estimated Appropriation Anticipation	3,951	3,913	\$20,843
Pay raises			
Payable Increases			
Pay Increases			6,597
Pay level pay increases			743
Utilization of additional positions approved in 1982		9	305
Non-grade Increases			1,272
General Employees' Compensation Act (GECA) - workmen's compensation			21
General Employees' Compensation Act (GECA) - workers compensation			145
Standard Level User Charges (SLUC)			2,656
Recurring reimbursable services			848
Non-recurring reimbursable services			563
General Services Increases			212
General Telecommunications System (GTS) rate increase			1,156
General costs - office increases			753
General Printing Office (GPO) printing costs			31
Printing costs for the Federal Register and Code of Federal Regulations			14
General printing and reproduction costs			19
Employee data and payroll services			59
Field investigations			120
General pricing level adjustment			1,236
Sign allowances			1,048
General Administrative Support (GAS)			331
Generalization of Cargo Preference Act savings			250
General mail charges			14
General telecommunications costs			40
General, uncontrollable increases		9	20,648

Decreases			
Decreasing items for 16 new positions related to the 1982 Revised Appropriation	...	...	-612
Purchase of motor vehicles for 13 agents requested in 1982 (\$192,000)	...	...
Purchase of technical investigative equipment for 13 agents requested in 1982 (\$10,600)	...	...
Purchase of miscellaneous radios for 13 agents requested in 1982 (\$69,000)	...	...
Purchase of operating equipment for 35 positions requested in 1982 (\$52,000)	...	...
Background investigations for 16 positions requested in 1982 (\$35,000)	...	...
Basic entry level training for 13 agents requested in 1982 (\$245,000)	...	...
Operation of the entire NSA Automated Teleprocessing System (ATS)	...	...	-740
Utilization of 1982 position and program reductions (1982 March Amendment)	...	-16	-700
Total, decreases	...	-16	-7,052
	3,935	3,912	249,445

Salaries and expenses

Justification of Adjustments to Base (Dollars in thousands)

	Form. 1982	Work- years	Amount
Increases:			
Increases	...	...	\$6,597
Request for full funding of the October 4, 1981 pay increase contained in Executive Order			
Request of \$6,597,000 reflects 1982 as well as 1983 requirements for pay. The			
Amount of the amount is required is:			
Personnel compensation and benefits relative to the October pay increase			
\$21,000 x 4.8 percent for 259 days	56,553,000		
Annual amount of pay raise	44,000		
Requirements	6,597,000		
Pay level pay increases	...	...	743
Request for full funding of the January 1, 1982 Executive Level pay increases contained			
1982. The request of \$743,000 reflects 1982 as well as 1983 requirements for pay.			
Amount of the amount required is:			
Personnel compensation and benefits relative to January pay cap for 195			
	5630,000		
x Annual amount of pay raise	111,000		
Requirements	743,000		
Utilization of additional positions approved in 1982	...	9	305

	Approved 1982 Increase	Annualization Required
Rate of 36 approved positions (26 Domestic		
Investment program and 10 Foreign Cooperative Investiga-		
tion)	\$957,000	...
(125 percent)	-239,000	\$239,000
Investment	718,000	239,000
Employee benefits	90,000	24,000
Cost classes	169,000	42,000
Costs subject to annualization	985,000	305,000

	Number of GS Positions	Annual Salary Rate	Pay at Base of Grade	Cost of Within- grade	Pay Adjust.	Cost of Within- grades	Change from FY
1983	3,930	\$110,655	\$104,568	\$14,087	...	\$14,087	\$1,156
1982	3,930	111,553	99,214	12,339	104.0	12,931	-1,459
1981	4,069	115,075	102,486	12,589	114.3	14,399	945
1980	4,051	104,998	94,005	10,993	122.3	13,444	20
1979	4,188	99,451	89,053	10,398	129.1	13,424	...

5. Federal Employees' Compensation Act (FECA) - unemployment benefits.....

This request will provide for increased costs incurred for unemployment compensation payments to former employees. The Omnibus Reconciliation Act of 1980 (P.L. 96-499) requires that all unemployment benefits paid by State agencies to former Federal employees, based on Federal service performed after December 31, 1980, be reimbursed to the Federal Employees Compensation Account of the Unemployment Trust Fund by the various Federal agencies. The estimate of \$23,000 was based on unemployment compensation payments for the quarter ending in March 1981.

6. Federal Employees' Compensation Act (FECA) - Workers' Compensation.....

The increase reflects the billing provided by the Department of Labor for the actual costs in 1981 of employee's accident compensation. The 1983 billing will be \$2,577,000 or \$345,000 over the 1982 estimate of \$2,232,000.

7. Standard Level User Charges (SLUC).....

P.L. 92-313, Public Building Amendments Act of 1972, authorizes and directs the Administrator of the General Services Administration to charge for the use of space furnished. An increase of \$2,656,000 is requested in 1983 to pay for space occupied at the end of 1982. The amount budgeted for SLUC in 1982 is \$14,805,000.

8. GSA recurring reimbursable services.....

The General Services Administration provides additional heating, air conditioning, and guard service over normal requirements on a reimbursable basis. The requested increase of \$848,830 includes \$356,000 to adjust for the increased costs of the same quality and quantity of space in 1983 as in 1982 and \$492,830 for a deficit carried forward from 1982. This is an increase of 53 percent over the amount budgeted for 1982 of \$1,612,000.

9. GSA nonrecurring reimbursable services.....

Renovation and alterations of existing space at several locations will require a one-time increase in nonrecurring reimbursable charges to GSA of \$588,000 for relocation and renovation of the San Francisco Laboratory.

10. Postal Service increases.....

The Postal Service has increased the first class postage rate twice, once from 15 to 18 cents an ounce and then from 18 to 20 an ounce. This 5 cent increase results in an additional request of \$232,000 over the currently budgeted amount of \$999,000.

11. Federal Telecommunication System (FTS) rate increase.....

The FTS increase reflects the advance billing provided to the Department of Justice by the General Services Administration. In 1983, the uncontrollable increase will be \$1,156,000 over the 1982 base of \$1,070,000. This reflects the new billing method which became effective in 1982 and is based on the duration of calls. It also includes the rate increase of approximately 51 percent which was granted American Telephone and Telegraph in 1982.

12. Travel costs - airfare increases.....

Although airline fares are subject to less regulation as a result of the Deregulation Act, the regulation of fares will disappear entirely after 1983, the Civil Aeronautics Board states that despite the stabilization of gas prices in 1981 and the availability of economy flights, prices will increase 15 percent over the 1982 budgeted amount of \$5,057,000.

13. Government Printing Office (GPO) printing costs.....

The Government Printing Office (GPO) is projecting a six percent increase in printing costs for 1983. Using 1982 costs as a base, the uncontrollable increase for GPO printing is \$31,000 over the base of \$509,000.

Administrative Branch Appropriation Act of 1976 (P.L. 94-341) excluded the Federal Register, Act of 1949 Federal Agencies to reinforce the Government Printing Office for the costs of ing, binding, and distributing the Federal Register and the Code of Federal Regulations The current cost estimates from GAO reflect an increase of 10 percent over the present of \$400 per page for the Federal Register and \$65 per page for the CFR. The requested rollable increase provides funding for 257 pages in the Federal Register and 190 pages in R.		
Departmental printing and reproduction costs.....	...	...
Departmental printing costs are expected to increase by 7 1/2 percent in 1983. This results in a controllable increase of \$19,000 over the 1982 base of \$250,000.		
Employee data and payroll services.....	...	...
Department provides centralized employee data and payroll services. These services include developing, maintaining and operating all departmental information system concerning employee information as well as centralizing payroll accounting functions. Charges for these services are based on the number of employees paid in each organization. The cost per employee in 1982 was \$95. In 1983, it will increase by \$15; the increased cost of servicing 3,964 employees is \$59,403.		
Field Investigations.....	...	...
In this area have increased as the result of a projection by the Office of Personnel Management (OPM) for 1982, which raised the standard rate charged for each full-field investigation by \$300 over the 1981 base cost of \$1,000. The request of \$120,000 reflects the equipment for full-field investigations at the current rate of \$1,300.		
Oil pricing level adjustment.....	...	...
Request applies to OMB pricing guidance as of August 1981 to selected expense categories. Increased costs resulted from applying a factor of 7.0 percent against those subject charges where the prices that the Government pays are established through the market instead of by law or regulation. Generally, the factor is applied to supplies, materials, equipment, contracts with the private sector, transportation costs and utilities. Excluded from the computation are categories of expense where inflation has already been built into the 1983 estimates.		
Per diem allowances.....	...	...
Per diem allowances for Government employees in foreign areas are determined by the Department of State. The State Department anticipated a 20 percent increase in 1983. The requested increase of \$1,000 provides 20 percent more than the \$5,240,000 budgeted for 1982.		
Distributed Administrative Support (DAS).....	...	...
The Foreign Affairs Administrative Support System (FAAS), an annual charge is made by the Department of State for administrative support items; the amount of this charge is determined by the Department of State. The Department of State advises that a 20 percent increase in operational costs is anticipated. The base for 1982 is \$1,905,000.		
Operation of Cargo Preference Act Savings.....	...	...
The Office of Management and Budget has rescinded its earlier decision to seek repeal of that provision of the Cargo Preference Act which requires the Government to ship household effects on United States flag vessels.		
Postage and mail charges.....	...	...
Overseas mail transportation costs increase for 1983 is \$13,514 for a total of \$135,000. These costs are reimbursed to the Military Postal Service, Department of Defense.		
Departmental telecommunications costs.....	...	...
In 1981, AT&T discontinued TELPAK services and increased rates under a new tariff. The requested increase of \$40,000 reflects the resulting increase of 45 percent in the message rate and 10 percent in terminal charges over the 1982 budgeted amount.		
Uncontrollable increases.....	...	9
Automatic non-policy:		
Transferring items for 35 new positions related to the 1982 Amended Appropriation.....	...	...
Acquisition of motor vehicles for 33 agent positions requested in 1982 (\$192,000). Acquisition of technical investigative equipment for 33 agents requested in 1982 (\$20,000). Acquisition of mobile/portable radios for 33 agents requested in 1982 (\$69,000). Acquisition of operating equipment for 36 positions requested in 1982 (\$36,000). Acquisition of ground investigations for 36 positions requested in 1982 (\$36,000). Acquisition of entry level training for 33 agents requested in 1982 (\$245,000).		

annualization of 1902 position and program reductions reflected in the March 1902 Amendment
positions in the Domestic Enforcement program and 11 positions in the Diversion Investigative
program.....

-16

Total decreases.....

-16

Total, Adjustments to base level estimates.....

-7

Salaries and expenses

Financial Analysis - Program Increases (Dollars in thousands)

Item	Domestic Enforcement Pos. Amount	Foreign Cooperative Investigation Pos. Amount	Compliance and Regulation Pos. Amount	State and Local Training Pos. Amount	State and Local Laboratory Services Pos. Amount	State and Local Task Forces Pos. Amount
al workyears and personnel compensation.....	48 \$1,090	9 \$209	10 \$216	1 \$26	1 \$26	3 \$57
Personnel benefits.....	109	21	23	3	3	5
Total workyears and obliga- tions, 1981.....	48 1,207	9 230	10 259	1 29	1 29	3 57

Item	LEA Laboratory Services Pos. Amount	LEA Training Pos. Amount	Technical Operations Pos. Amount	Executive Direction and Control Pos. Amount	Administrative Services Pos. Amount	Total Pos. Amount
al workyears and personnel compensation.....	5 \$105	1 \$26	4 \$70	7 \$156	2 \$52	100 \$7,273
Personnel benefits.....	10	3	8	16	5	227
Total workyears and obliga- tions, 1981.....	5 115	1 29	4 86	7 172	2 57	100 7,500

Salaries and expenses

Summary of Requirements by Grade and Object Class (Dollars in thousands)

Grade and salary ranges	1902 Estimate		1981 Estimate		Increase Positions Workyears
	Positions	Amount	Positions	Amount	
ive level III, \$59,500.....	1		1		
ive level V, \$57,500.....	1		1		
\$57,500.....	3		3		
\$57,500.....	11		11		
\$54,755-57,500.....	22		22		
-15, \$46,605-57,500.....	134		134		
-14, \$39,609-51,596.....	424		424		
-13, \$33,506-43,666.....	727		727		
\$20,745-36,723.....	1,083		1,083		
\$21,566-30,640.....	229		229		
\$21,449-27,884.....	6		6		
\$19,477-25,310.....	123		123		
\$17,634-22,926.....	54		54		
\$15,922-20,701.....	202		202		
\$14,328-18,630.....	358		358		
\$12,054-16,706.....	294		294		
\$11,490-14,937.....	133		133		
\$10,235-13,304.....	40		40		
\$9,381-11,007.....	7		7		
el positions.....	21		21		
ed, appropriated positions.....	3,953	\$113,449	3,953	\$119,068	
bove stated annual rates.....	15	460	15	460	
.....	-84	-1,434	-191	-2,605	
permanent.....	3,884	112,475	3,777	116,843	

Salaries and Expenses

Summary of Requirements by Grade and Project Class (Dollars in thousands)

	1982 Estimate		1983 Estimate		Increase/Decrease
	Workyears	Amount	Workyears	Amount	
1. Salaries and positions.....	3,884	\$112,475	3,777	\$116,843	-107
2. Personnel other than permanent:					
a. Temporary personnel.....	10	112	10	110	...
b. Temporary employment.....	25	319	25	339	...
c. Casual, part-time and intermittent employment.....	20	229	20	243	...
3. Other personnel compensation:					
a. Overtime.....	20	700	20	700	...
b. Administratively uncontrollable overtime.....	444	9,100	444	10,062	...
c. Other compensation.....	5	1,049	5	1,049	...
4. General personal services payments.....	...	1,000	...	1,000	...
Total, salaries and personnel compensation.....	4,408	124,984	4,301	130,354	-107
5. Personal benefits.....		19,373		20,777	
6. Travel and transportation of persons.....		9,881		10,752	
7. Transportation of things.....		1,838		2,183	
8. Travel-related user charges.....		14,795		17,440	
9. Communications, utilities, and other rent.....		12,393		15,748	
10. Printing and reproduction.....		1,085		1,149	
11. Other services.....		32,016		34,098	
12. Supplies and materials.....		6,055		6,932	
13. Equipment.....		8,632		7,412	
14. Grants, materials, and contributions.....		...		...
15. Insurance claims and indemnities.....		100		100	
Total of litigation.....		232,392		246,945	
16. Retention of legislation to outlays:					
a. Estimated balance, at start of year.....		29,173		34,537	
b. Estimated balance, end of year.....		-34,537		-39,346	
c. Net change.....		227,028		242,136	

Salaries and expenses, Drug Enforcement Administration

Justification of Multi-Activity Program Decreases
(Dollars in thousands)

Item of decrease: Workyear reduction

Program	Enforcement of Federal Law and Investigations			Intelligence			Support Operations			Program Direction		
	Pos.	WY	Amount	Pos.	WY	Amount	Pos.	WY	Amount	Pos.	WY	Amount
Domestic enforcement.....	...	48	\$1,207	...	...	...	...	...	...	...	...	...
Foreign cooperative investigations.....	...	9	230	...	...	...	...	...	...	...	...	...
Compliance and regulation.....	...	10	259	...	...	...	...	...	...	...	...	...
State and local assistance:												
State and local training.....	...	1	29	...	...	...	...	...	...	...	...	...
State and local laboratory services.....	...	1	29	...	...	...	...	...	...	...	...	...
State and local task forces.....	...	3	57	...	...	...	...	...	...	...	...	...
Diversion investigative units.....
Intelligence.....	9	\$230	...	...	...	...	...	...
Research and development.....
DEA laboratory services.....
DEA training.....	5	\$115	...	...	...
Technical operations.....	1	29	...	...	...
Executive direction and control.....	4	86	...	...	...
Administrative services.....	7	\$172
Total.....	...	72	1,811	...	9	230	...	10	230	...	9	229

In order to support the President's Economic Recovery Program, a reduction of 100 workyears and \$2,500,000 is proposed.

The workyear decrease has been proportionally allocated to the programs to minimize the impact on the Nation's drug enforcement effort anticipated that the 1983 requested workyear level will enable DEA to provide for the existing level of operations.

have a brief two page statement which I would like to read and a longer statement which I would like to insert into the record.

Mr. SMITH. All right, we will insert that at this point.

[The prepared statement follows:]

DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION

STATEMENT OF THE ACTING ADMINISTRATOR, FRANCIS M. MULLEN, JR.,
BEFORE THE HOUSE APPROPRIATIONS SUBCOMMITTEE FOR THE DEPARTMENTS OF COMMERCE,
JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES

Mr. Chairman and Members of the Subcommittee:

I am pleased to have the opportunity to appear before this Subcommittee for the first time to discuss the Drug Enforcement Administration (DEA) budget, our mission, our objectives and our plans for 1983.

1983 Budget Request

The 1983 appropriation request for DEA totals \$246,945,000 and 3,953 positions. This represents a net increase of \$16,096,000 from the pending 1982 amount of \$230,849,000. This appropriation finances a comprehensive program that operates with field offices in 50 states and 43 foreign countries, eight field forensic laboratories, and Federal/State and local task forces in 18 areas.

In keeping with the President's economic recovery program, our 1983 budget includes a decrease from the current services level of \$2.5 million in salaries and benefits--equivalent to 100 workyears--to be allocated proportionally to the workyears budgeted for the various DEA programs. This will minimize the adverse impact on the Nation's drug enforcement effort, and will provide funding for the ongoing level of operations within DEA.

The purpose of these changes is to promote more effective drug enforcement through coordinated efforts involving DEA, the FBI, the United States Attorneys and agencies from other Departments, where appropriate.

The Attorney General has created a committee that will oversee the development of drug policy and assure that all the Department's resources, including its prosecutorial and correctional efforts, are effectively engaged in the effort against drug trafficking.

Additionally, the Attorney General adopted the recommendations of a committee of Department of Justice officials he appointed last summer to study how the DEA's and FBI's efforts could be better coordinated. Responsibility for the general supervision of drug enforcement efforts has been delegated to the Director of the FBI, so that as DEA's Administrator, I now report to the Attorney General through Director Webster. In furtherance of this relationship, the Attorney General also has moved to involve the FBI in the drug enforcement effort. This will, for the first time, bring the full resources of the FBI to bear on the problems associated with drug trafficking.

Assigning the FBI jurisdiction in drug investigations will immediately increase the number of agents available for our mission. DEA will be able to make maximum use of the FBI's wide deployment. In quite a few areas, DEA has small representational offices that will certainly benefit from the manpower and expertise of the FBI.

No less significant will be the enhancement of investigations into the many other violations that go hand-in-glove with drug trafficking. Uniting the efforts of DEA and the FBI will afford the government the opportunity to attack the other crimes uncovered in drug investigations, such as organized criminal activities, money laundering, bank fraud and public corruption.

DEA Organization

Internally, DEA is moving toward streamlining its Headquarters' programs, adjusting to a drug program management structure, while at the same time we are

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drug offenses, the recent initiative by the Department of Justice to place the highest priority on the coordination of drug investigative efforts involving the DEA, the FBI, the U.S. Attorneys, and other Federal agencies, and our internal reorganization should result in a more efficient use of drug enforcement resources.

Effect of Drug Abuse and Scope of U.S. Government Strategy

Effects of Drug Abuse

My interests and objectives are to keep the United States Government at the forefront of the drug war. The public has entrusted us with their faith to address this insidious problem which is a major cause of crimes against the public. Violent crime associated with drug trafficking is unacceptable; the drug-money induced erosion of our financial and tax structure is unacceptable; the injurious health repercussions our youth are suffering are unacceptable. Clearly, the drug problem is one which requires Federal leadership not only to manage the international and interstate aspects; but also to influence and motivate State and local authorities to implement worthy drug control programs.

United States Government Strategy

The strategy of the U.S. Government must be to make the trafficking of drugs considerably less lucrative in terms of increased and consistent punishment, and to assure the certain loss of accumulated profits and proceeds of this criminal enterprise. We must also approach the demand issues and make the use of drugs less appealing. Finally, we need to better educate the public about the health consequences of drug abuse.

Impact of Federal Drug Law Enforcement

Federal drug law enforcement can act aggressively in several areas:

Internationally

- to stop production at the source and
- to assist in the interdiction of drugs and moneys before they penetrate U.S. borders.

Domestically

- to investigate and develop cases at the highest levels of violators,
- to strike at organized crime,
- to hold to a minimum the availability of controlled substances,

Heroin

I think it needs to be said that the efforts of DEA have had a demonstrable impact in protecting the American public from the dangers of drug abuse. This success over an extended period of time is the result of following the U.S. national strategy of placing first priority on heroin suppression.

Heroin availability and subsequent abuse continue at relatively low levels compared with record high levels as recently as 1976. We accurately predicted increased supply and trafficking in Southwest Asian heroin, which has allowed time for adequate planning and shifting of resources to prevent the influx from seriously afflicting the U.S. population. We have had unprecedented international success in penetrating drug trafficking networks and disabling their conversion laboratories at overseas locations in Italy and the Middle East, thus preventing the converted heroin from reaching the U.S. population.

Dangerous Drugs

Abuse of legally-produced dangerous drugs is our second priority objective. This facet of drug abuse, although perhaps the least publicized component of our total operations, is no less a vital element in our strategy. Sixty to seventy percent of all deaths and injuries from controlled substances are associated with legally-produced drugs. Our international efforts directed toward control of bulk shipments of pharmaceutical material have had significant results. Domestically, our initiatives are targetted at controlling diversion of drugs from legitimate handlers, particularly practitioners. Overprescribing and misprescribing are problems of diversion that are recognized by health professionals as warranting attention. Mobilizing the resources of the business community in the area of diversion of legitimate drugs will be a major component of a Federal strategy.

Cocaine and Cannabis

Cocaine and cannabis trafficking seem to be relentless. Our multi-faceted enforcement operations, such as the recently concluded Operation Tiburon III, remove vast quantities of these drugs from the marketplace. However, without meaning to detract in the least from the accomplishments of this enforcement

Foreign Operations

DEA Activities

DEA's lead agency role overseas of working actively with counterpart agencies has been highly effective and must be continued. This effort includes technical assistance in eradication, cooperative investigations and legislative proposals, the provision of training, and the exchange of intelligence. We are prepared to work more diligently to achieve our program goals.

Legislative and Diplomatic Efforts

However, we will need the support of the Congress to help convince the leadership of drug-source nations that the United States is firmly and irrevocably supportive of drug control abroad and at home.

Impact of Domestic Activities on Foreign Governments

To effectively persuade foreign governments to act on drug control, the Federal Government must combine a convincing domestic program with a consistent diplomatic program. Strong coordination must be established to ensure that all aspects of the U.S. policy support our drug control interests overseas. Advancement of a firm domestic marijuana control program is a needed demonstration of this commitment. We are actively involved with marijuana-source states to develop and implement domestic eradication programs.

Federal, State and Local Cooperative Activities

Domestically, our commitment to working with the Federal law enforcement community has never been stronger. In these austere times, we have all recognized the need for further enhancement of cooperative endeavors. We are maintaining a strong emphasis on interagency investigations with the Customs Service, the Coast Guard and the rest of the Federal enforcement community. I believe we will be seeing an acceleration in the number of interagency, high-level investigations.

El Paso Intelligence Center (EPIC) and Military Assistance

The El Paso Intelligence Center (EPIC) has a vital place at the heart of our operations. EPIC is an interagency operation supported by DEA, the FBI, Coast

on international operations, conspiracy cases and financial investigations, EPIC's workload has become more complex. As a result of the enactment of the Department of Defense Authorization Act, 1982 (P.L. 97-86) on December 1, 1981, DEA can look forward to increased military assistance in drug smuggling incidents and cases, which should provide for further enhancement and utilization of EPIC's capabilities.

Investigative Support in DEA

Thus far, I have discussed our major program directions and, in so doing, I have left unstated the critical components of DEA's activities which support our enforcement program and provide the DEA agents with the needed tools of the trade. Support operations activity encompasses: our strategic and tactical intelligence program; laboratory analysis of evidence in support of investigations prosecution of drug traffickers and support of State and local operations; training programs for all levels of DEA operational personnel, State and local personnel, and foreign officials; and maintenance of an effective technical equipment program, including aircraft operations to support increasingly complex high-level investigations. The individuals who staff these vital functions are extraordinarily committed to supporting our agents and the DEA mission.

Conclusion

For years, DEA has done fine work at home and abroad. In my eight months as Acting Administrator, I have been pleased at the obvious dedication and professionalism of the staff and the continued effectiveness of the enforcement effort. I am confident that an infusion of FBI resources to supplement those of DEA will aid immeasurably in our national drug enforcement effort. Through a unified effort involving DEA, the FBI, prosecutors and others, we will have the resources and the expertise to attack the upper echelons and the financial structures of the Nation's large drug trafficking organizations.

The new unified DEA/FBI effort, however, is only one part of the Administration's concerted program to impact on the flow of drugs into the

designed to follow and seize the millions of dollars in profits which are transitting banking institutions in Florida.

In addition the Administration is marshalling into Florida investigative resources from around the country, including FBI, DEA, and Customs officers, to exert more enforcement pressure on the trafficking organizations. The Vice President is directing a special task force to coordinate the Administration's program.

The control of the drug problem requires action by every level--individuals, organizations, local and State government, and the Judicial, Legislative and Executive Branches. Legislative initiatives in the areas of criminal forfeiture, bail, and sentencing are essential to these integrated enforcement efforts. We look forward to your support of our agenda.

This concludes my statement, Mr. Chairman. I shall be pleased to answer any questions you or other members of the Subcommittee may have.

BIOGRAPHY

FRANCIS M. MULLEN, JR.

Francis M. Mullen, Jr. was nominated by President Reagan on January 21, 1982 to serve as Administrator of the Drug Enforcement Administration. He has been acting in that capacity since July 13, 1981 upon appointment by Attorney General William French Smith. Mr. Mullen came to DEA from the Federal Bureau of Investigation where he had been Executive Assistant Director in charge of all FBI investigative activity.

Mr. Mullen was born in New London, Connecticut on December 14, 1934, and received his early education there. Prior to enrolling in college, Mr. Mullen served in the United States Air Force for four years. He attended Mitchell College in New London, Connecticut and was awarded a Bachelor of Science degree from Central Connecticut State College in 1962. While attending college, Mr. Mullen was a member of the New London, Connecticut Police Department.

Mr. Mullen entered on duty with the FBI in May 1962 and served in Milwaukee, Wisconsin and Los Angeles, California prior to reporting to FBI Headquarters in 1969 in a supervisory capacity. He returned to the field as Assistant Special Agent in Charge of the Denver, Colorado office in 1973 and subsequently served another tour in FBI Headquarters as an Inspector. In 1975, Mr. Mullen was designated as Special Agent in Charge of the Tampa, Florida office and in 1976 transferred in the same capacity to the New Orleans, Louisiana office.

He returned to FBI Headquarters in October 1978 as Inspector--Deputy Assistant Director of the Criminal Investigative Division, where he supervised white collar and organized crime investigations. Mr. Mullen was made Assistant Director of that division in August 1979. He was

then appointed Executive Assistant Director, Investigations and
In this position, Mr. Mullen was one of the three top management officials in the FBI and was responsible for all of the FBI's intelligence and criminal operations.

Mr. Mullen and his wife, Nancy, have three children; a son serving in the U.S. Army, a married daughter and one daughter living at home.

FRANK V. MONASTERO

Mr. Monastero was named Acting Assistant Administrator for Operations on February 5, 1982. During his tenure with the Drug Enforcement Administration (formerly, the Bureau of Narcotics and Dangerous Drugs) from 1966 to the present time, he has held the following positions: Deputy Regional Director, Boston Regional Office; Chief, Enforcement Policy Staff, Office of Enforcement; Associate Regional Director, New York Regional Office; Assistant Regional Director, Kansas City Regional Office; Deputy Regional Director, New York Regional Office; Deputy Assistant Administrator for Intelligence; Director of the Office of Planning and Evaluation; and Director of Training.

Mr. Monastero was born in Totowa, New Jersey on September 15, 1932. He graduated from Georgetown University in 1953 with a B.S. degree in Social Sciences. During 1954-56 he served in the United States Air Force.

DONALD P. QUINN

Donald P. Quinn is presently serving as the Acting Assistant Administrator for Operational Support of the Drug Enforcement Administration. Prior to that he served as Assistant Administrator for Administration and Management, Drug Enforcement Administration. His previous appointments include Deputy Assistant Administrator for Administration and Management; Assistant to the Assistant Administrator for Administration and Management, Drug Enforcement Administration; Chief, Organizational Analysis Section, Drug Enforcement Administration; Deputy Comptroller Career Program Manager, U.S. Army Materiel Command, Department of the Army, Alexandria, Virginia; Senior Management Analyst, Theater Army Support Command, Department of the Army, Worms, Germany; Program Analysis Officer, Office of the Comptroller, U.S. Army Materiel Command, Washington, D. C. and Chief, Management Systems, Army Aviation Materiel Laboratories, Fort Eustis, Virginia.

Mr. Quinn was born in Scranton, Pennsylvania on July 9, 1940. He received a Bachelor of Science Degree from the University of Scranton in 1962 and a Master of Science Degree from George Washington University in 1966. He served with the U.S. Army in Korea and Fort Eustis, Virginia as an Adjutant and Company Commander from 1963-1966.

He is married to the former Bonita Gietka and has four children.

GENE R. HAISLIP

Gene R. Haislip is presently Acting Deputy Assistant Administrator, Office of Diversion Control which was formerly the Office of Compliance and Regulatory Affairs, Drug Enforcement Administration. Prior to that appointment he served as Executive Assistant to the Administrator, Drug Enforcement Administration. Previous appointments include Assistant Chief Counsel; Acting Assistant Administrator for Program Planning and Evaluation; Deputy Assistant Administrator for Program Planning and Evaluation; Deputy Assistant Secretary

General Government Division. His other Federal work experience includes service with the Agency for International Development in Washington, D.C., and Jakarta, Indonesia. He has private sector work experience in the electronics industry and served three years in the Marine Corps.

Mr. Arnold was born in Washington, D.C., on November 19, 1934. He was educated at UCLA and Harvard University, where as a Woodrow Wilson Fellow he pursued a Ph.D. in government and Asian affairs. In 1969 he graduated from the Department of State's Foreign Service Institute in Economic Studies.

Mr. Arnold is married to the former Carol Irene Condon; he has four children.

JAMES K. WILLIAMS

James K. Williams is presently Acting Chief, Budget and Manpower Management Section of the Drug Enforcement Administration. Prior positions held have been in the field of Financial Management in the Drug Enforcement Administration and its predecessor agencies, the Bureau of Narcotics and Dangerous Drugs in the Department of Justice, and Bureau of Narcotics in the Treasury Department.

Mr. Williams was born in Paintsville, Kentucky on July 26, 1936. He attended the University of Baltimore and received a Bachelor of Science Degree in Accounting in 1963.

Mr. Williams is married to the former Carolyn Larson, and they have two children.

the pending 1982 amount of \$230,849,000.

Our budget includes a decrease of \$2.5 million in the salaries and benefit base—equivalent to 100 work years. The ongoing level of operations, however, will be maintained.

The greater involvement of the FBI in the investigation of Federal drug offenses, the recent initiative by the Department of Justice to place the highest priority on the coordination of drug investigative efforts involving the DEA, the FBI, the U.S. Attorneys, and other Federal agencies, and our internal reorganization should result in a more efficient use of drug enforcement resources.

The drug problem is one which requires Federal leadership not only to manage the international and interstate aspects, but also to influence and motivate State and local authorities to implement effective drug control programs.

Trafficking in drugs must be made less lucrative and the use of drugs less appealing.

DEA resources will continue to be applied to investigation of, first, heroin trafficking, then dangerous drugs, cocaine and cannabis trafficking.

The efforts of DEA have had an impact in protecting the American public from the dangers of drug abuse by placing first priority on heroin suppression.

Control of drugs at the source, usually overseas, is a pillar of our strategy. We will continue to fulfill the role of lead agency in drug enforcement activities overseas.

Domestically, our commitment to working with the Federal law enforcement community has never been stronger. I believe we will see an acceleration in the number of high level interagency investigations.

Right now the Treasury Department is establishing a financial intelligence center in Florida, and investigative resources from around the country are being marshalled in Florida to exert more enforcement pressure on traffickers.

Further, the El Paso Intelligence Center will assume an even more critical importance as a result of the enactment of the Defense Department Authorization Act, 1982, which increased military assistance in combatting drug trafficking.

The control of the drug problem requires action by every level—individuals, organizations, local and State government, and the Judicial, Legislative and Executive Branches.

And I am prepared to answer any questions you may have.

FBI/DEA COORDINATION

Mr. SMITH. Recently, the Attorney General announced that the DEA and the FBI would consolidate their drug investigations. What is the purpose of this consolidation? What are the main features of it that differ from the way these investigations have been conducted in the past?

Administration in the Drug Enforcement Administration. Mr. Arnold joined the Drug Enforcement Administration as the Controller in March, 1980. From 1970 to 1975 he served on the staffs of the International Affairs Division and the Program Coordination Division of the Office of Management and Budget; his last position at OMB was Acting Chief of the Justice/Treasury Branch, Economics and General Government Division. His other Federal work experience includes service with the Agency for International Development in Washington, D.C., and Jakarta, Indonesia. He has private sector work experience in the electronics industry and served three years in the Marine Corps.

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FBI agents, especially the 1300 accountants on the drug problem so that they will complement the DEA effort.

This means we will see many joint investigations.

As an example, when I went to DEA on July 13th of last year, there were between 10 and 15 joint investigations between DEA and the FBI.

Today I can report that we have 153, all aimed at the highest level of the drug trafficking world.

This means that in cities such as Cincinnati, Ohio, which I visited last year, where there were two DEA agents stationed to cover the entire southern Ohio area we now have available 87 FBI agents assigned to the same area.

In a city such as Pittsburgh where we have eight DEA agents and the FBI has 118, it will mean that we will now be able to use more sophisticated investigative techniques for wiretap and undercover operations.

Mr. SMITH. Are the FBI agents going to be taken off other work?

Mr. MULLEN. We found prior to this closer cooperative effort that 25 percent of the FBI organized crime program was leading into the drug trafficking area. We found that some of the bank fraud and embezzlement cases were leading into drug trafficking.

But to answer your question fully, yes, this will result in the FBI agents being taken off of other work. Most likely, the lesser important cases, say, in bank fraud and embezzlement where the amount is minimal or something of that nature.

JOINT INVESTIGATIONS

Mr. SMITH. Well, now how will investigations under this arrangement differ from the way you handled joint investigations before?

Mr. MULLEN. There will be more of them and I think with the increased accounting expertise we will be able to go after the money flow, the money that is flowing out of the United States, say, through the Bahamas, the Cayman Islands, to the Swiss banks.

I think we will be better able to track the money flow.

Mr. SMITH. Procedurally will there be any difference in the way you operate an investigation?

Mr. MULLEN. I think the lines of command will be much clearer, that I report through the Director and we can mandate the cooperation.

When you tell two agencies to work together it is often difficult to achieve.

Mr. SMITH. Was there any difficulty in getting them to work together in the past?

Mr. MULLEN. In the past, yes, there has been some difficulty.

Mr. SMITH. What kind of difficulty?

Mr. MULLEN. Just who will contribute what resources. I think in the end it would boil down to who gets credit, who is going to run the investigation. Now we have worked out definitive guidelines.

For example, if the FBI starts the investigation and has the ma-

Mr. SMITH. You did not send a reprogramming request up. Doesn't this new arrangement change the use of resources and line items in the budget? Why wasn't there a reprogramming?

Mr. MULLEN. It was not necessary. The FBI is working the drug effort within its organized crime program.

Mr. SMITH. There was no change in the amount of money used under any line item in the budget?

Mr. MULLEN. None that I am aware of, Mr. Chairman. Another area, and I did not complete before what this entailed, the FBI was given jurisdiction which they did not have before and would refer all cases to the DEA and DEA simply did not have the resources.

I would like to make clear that it wasn't that DEA wasn't able to do the job because of expertise. They clearly have the expertise. They just did not have the people.

DRUG STRATEGY/PRIORITY

Mr. SMITH. Now, I understood you to stress also that one of your priorities is to try to reduce production in other countries. Is that right?

Mr. MULLEN. Not priority. What I classified, Mr. Chairman, were the four drug types, the heroin, dangerous drugs, cocaine and cannabis, the marijuana.

We have them prioritized in that order because of the serious health hazards from heroin, the overdose deaths.

Mr. SMITH. Are you depending more heavily upon preventing production in some other country or upon catching traffickers in this country or what?

Mr. MULLEN. We have several pillars of investigative strategy. One of these is eradication at the source and we work very closely with the State Department in that area.

And we have in DEA 178 agents assigned overseas to work with foreign police agencies in an effort to encourage them to eradicate at the source, arrest those who are trafficking and interdict at the source.

So that is one main pillar of the program but we are also just as concerned with seizing the assets in this country and our enforcement efforts in this country.

Mr. SMITH. I know a lot of people, and I think mistakenly, think you can do wonders by preventing production someplace. But there is so much land in this world that can produce marijuana, especially, I don't see how you can prevent it. If they move out of one place, they can go somewhere else and harvest it some months later. That does not mean you shouldn't do something about it, but you are sure going to have to get the traffickers that sell it here or they will just get it from somewhere else.

Mr. MULLEN. I fully agree with you.

people to put up the money.

Mr. MULLEN. Well, \$1 million bail for a drug trafficker is the cost of doing business.

What we are looking for from the Congress is some help with regard to bail reform. As it stands now a Federal judge may hold an individual to ensure his appearance in court.

We would like to see danger to the community—and I consider any drug trafficker a danger to the community as well as repeat offenders, perhaps, given no bail and held for trial.

I think that would go a long way toward alleviating the problem of individuals absconding and then coming back again with another load of drugs.

PARAQUAT ALTERNATIVES

Mr. SMITH. I will bring it up again as I've brought it up many times before. I still think we ought to put some emphasis on putting some kind of agent on the source wherever it is. Just spray some kind of an agent that makes people nauseated if they smoke the stuff. Let it go right through the system so that when people are buying drugs on the street, they don't know whether they are getting some of that or getting some other.

You have got to make it where those who buy drugs are less sure that they can use them and still get a lift out of them or whatever they get. You have got to make it that they are afraid that the negatives are greater than whatever enjoyment they are getting out of using drugs.

Mr. MULLEN. I know the State Department is doing some work in the area of a marker. I do not know what they are working in that area.

Mr. SMITH. Well, a marker just let's them know. That would be some help in tracing it, but whatever is used it ought to be done in such a way so that it is mixed in with the total source. Then the users won't know when they buy drugs whether they are getting some of the sprayed drugs or getting some of the other. The way it is now, if there is some bad dope on the street, we have ways of trying to warn people. We help them to avoid getting something bad, you know.

Mr. Miller, do you have any questions?

INTERAGENCY COOPERATION

Mr. MILLER. Mr. Chairman, I do have a couple of questions.

Mr. Administrator, you speak in your short statement about the cooperation between DEA, the FBI, the U.S. Attorneys and other Federal agencies.

What other Federal agencies are involved?

Mr. MULLEN. Mainly the Coast Guard and U.S. Customs but also the IRS is involved in the drug enforcement effort.

I did mention the FBI. I think we are all aware of the FBI and

matter.

Mr. MILLER. If you people would suspect that you had a case that was involved in drug trafficking, would it not be better to follow that case, move in, do something about it? It seems that going through the IRS is the long way around to report the possibility of someone's assets building up.

You probably do it on the basis of net worth, sometimes a year or two to evaluate the pieces of evidence, just what the net worth is and where it came from, and then probably the matter winds up in court.

It seems as though you or the FBI need to really investigate in order to shut that person off so that they would not be moving drugs.

Mr. MULLEN. We probably need just a little more than just suspicions. We would need some indication, perhaps some source of information. Perhaps with the resources, we are not able to catch a particular individual involved in the actual trafficking but they are being behind the scene.

That would be the type of case that I would be talking about.

Mr. MILLER. I asked that because IRS comes for their funding, one of the other appropriations subcommittees on which the Coast Guard and Customs also comes to that subcommittee.

You mentioned that you are involved to some degree with Customs. You did mention the Coast Guard?

Mr. MULLEN. Heavily involved; yes.

DEA/CUSTOMS COOPERATION

Mr. MILLER. Customs worked with you, and has it been beneficial? What can they do? They are certainly in a position to be able to do what comes in the country. We know it is impossible to see everything but they have that responsibility if they possibly can.

Mr. MULLEN. Yes, the relationship has been beneficial. Customs really has the primary mission of interdiction, of catching drugs at the airports, at the seaports and out in the Caribbean along with the Coast Guard and they have been very effective.

When Customs does come across the drug trafficker then they make the stop, the seizure and then DEA is immediately notified. Then DEA then conducts the investigation which may then go to the out the United States and even overseas.

On the other hand, DEA, through its overseas agent network, attempts to obtain intelligence and to advise Customs where shipments will be coming through.

We usually focus this activity on the El Paso Intelligence Center program out there where DEA has top position and a Customs official is second in command out there.

... people are able, for instance, to get a lead on a shipment that will be coming out, and contact our Customs so that they will be able to be on the lookout for that particular shipment?

Mr. MULLEN. With some regularity we are able to do that working with foreign police. DEA agents are very active with foreign police agencies and it has been a very successful program.

Mr. MILLER. Do we find most of the foreign police being receptive and especially in an area where the drug may be produced?

Mr. MULLEN. We find that most are receptive. What we do run into in some areas such as Southeast Asia, the traditions and customs where the growing of opium has been carried on for centuries, and we are trying to encourage the police to go in and eradicate and the government to substitute other crops and we are having to overcome decades and centuries of tradition.

But we find in most instances that the police are cooperative. And in addition to the working relationship we trained many of these foreign police at our training academy down at Glynnco, Georgia, so we have a very good relationship with most.

On occasion, we did have some difficulty in the not too distant past with regard to Bolivia. We did find involvement on the part of police officials there but this is rarely the case.

Mr. MILLER. But in some foreign nations I can visualize the possibility that there would be people not interested in stopping the crop because it, in turn, would bring back revenue to the government which would help pay the very people who would be attempting to stop it.

Mr. MULLEN. That is true. And even in some nations and I can cite Jamaica as an example where the government is friendly and wants to do something, the President realizes what it is going to do to the economy of that country.

So we are working with them through the State Department towards crop substitution and a means of getting another economic program that would substitute, say, for marijuana growing down there.

That is a problem.

REPEAL OF PARAQUAT AMENDMENT

Mr. MILLER. Are we using our personnel in order to crop-substitute or at least teach the people how and show them what they should be doing?

Mr. MULLEN. Yes, we are. That is, again, a State Department program but using A.I.D. we have a very active program in that area.

Mr. MILLER. At one time we also were spraying in some countries. Is that still in operation? Didn't we have some restrictions?

Mr. MULLEN. We did have a restriction. The amendment which prohibited the use of paraquat, that amendment was rescinded with the last session of Congress.

...the prohibition is no longer in effect and we are recommending using it.

WAR ON DRUG ABUSE

Mr. MILLER. I am wondering whether we are winning or losing. Are we gaining or going backward? We are taking one step forward and two back.

What about the age of those who use drugs, do you have some background on that? Are they starting younger?

I hear the stories. I have read some of stories that grade school students are using drugs.

Are we losing out because somehow the drug peddlers are getting to our young people and getting them started earlier and they pick up a habit and then we have the crime in the street for them to support the habit?

Mr. MULLEN. I don't think the users are getting any younger. We have seen usage at the grammar school level but for the third year in a row we have seen decreases with regard to high school marijuana usage.

I really believe that we have not won the battle against drug abuse but we certainly haven't lost it. But what I see at present is an opportunity to win it.

I see the Congress totally ready to take whatever action is necessary and the Administration committed, the news media, the public.

I believe people are more aware of what the drugs have been doing to their bodies and what it is doing to their livelihood and I just see a change in attitude. I see law enforcement not only at the Federal level but at all levels finally coming together, putting the resources where they can do the most good and I am very optimistic.

I don't think we will ever eliminate the problem. As long as we have human beings and as long as we have drugs available we will have an abuse problem. But I do believe that in time and in the not too distant future we will have less of a problem than we had today.

Mr. MILLER. You are saying we are winning. If we have less of a problem in the future we are winning?

Mr. MULLEN. I am saying we will win it. With the initiatives we have now underway, I believe we will win it, yes. I am confident that that is the case.

FREEDOM OF INFORMATION REQUESTS

Mr. MILLER. Does the DEA receive requests under the Freedom of Information Act?

Mr. MULLEN. We receive numerous requests, Congressman Miller. Fifty percent of which come from the criminal element or from individuals in prison. I will have to get the figures for you for

So it is a problem for us.

FEES CHARGED FOR FOIA/PA REQUEST

Mr. MILLER. I have not. Tell me about the charges, if you will. Those prisoners, as an example, they will want this information. Do you have a charge for that information?

Mr. QUINN. We do charge for the information. There is a fee charged for it.

Mr. MILLER. There is a fee?

Mr. MULLEN. So much per page unless it is under a court order. Often we will have a court order where it will stipulate that there will be no charge.

Mr. MILLER. You have 38 employees assigned to Freedom of Information Act. Now, would they be supported by the revenue that would be coming in because of the charge?

Mr. MULLEN. Mr. Quinn will answer that question.

Mr. QUINN. No, sir. They are appropriated employees. Any fee that comes in gets turned back into the Treasury.

Mr. MILLER. I understand that but I am thinking about whether an equal amount would be coming in.

Mr. QUINN. Whether it is a wash, no, sir, I don't believe it is. I think we would have to provide that for you.

Mr. MILLER. If you could provide it for the record I would appreciate it very much.

[The information follows:]

FEES CHARGED BY DEA FOR PROCESSING FREEDOM OF INFORMATION ACT (FOIA)/ PRIVACY ACT (PA) REQUESTS, 1981

Title 28, Code of Federal Regulations, Sections 16.9 and 16.46 govern fees to be charged by Department of Justice components. Search fees are permitted for FOIA requests only, in the amount of \$8 per hour. Document reproduction fees for both FOIA and PA requests are allowed at the rate of 10¢ per page. Regulations specify however, that fees should not be charged when, in the aggregate, they amount to less than \$3 per request.

As a matter of policy, DEA requires fees only when a total of \$10 or more is chargeable for any given request. Administrative handling costs make it impractical to require fees of less than \$10 per request.

DEA records indicate the following charges in 1981:

Freedom of Information Act Fees.....	\$1,500
Privacy Act Fees	890
Total.....	2,390

The total estimated cost of FOIA/PA operations in DEA in 1981 was \$1.6 million.

Mr. MILLER. I am happy to hear you say that we are gaining. It is an expensive program. There are many parts of government involved in it and I guess if we are gaining it is worth the expense because the youth of the Nation, we can't invest too much in them.

CONSOLIDATION OF DRUG EFFORT

So, with all of those people who are involved, and I don't know

against each other on occasion.

We have undercover operations going. I think it has to be coordinated at one source and I believe that has to be in the Justice Department with your chief law enforcement officer of the Nation, the Attorney General, being in overall command.

That is what we have now. We must work together within our jurisdictions. Customs has the interdiction responsibility. Coast Guard has the responsibility on the high seas. DEA and the FBI have the investigative responsibility domestically along with our many State and local police departments.

We must coordinate with each other at all levels but I do not see any area right now where we could have further consolidation of effort.

TASK FORCES

Mr. MILLER. But are plans or studies being made to somehow find out if that would be beneficial because of so many agencies that are involved in this?

Mr. MULLEN. Continuing studies at all times to see how other agencies can do more and I think we will have areas like south Florida where the Vice President has his task force in operation where we are working in concert.

If we develop techniques there that we find effective we would spread those to other parts of the country.

In addition, we have 18 joint Federal, State and local task force operations underway right now. For example, in New York City where we have DEA agents, New York State Police, New York City Police working together and where DEA provides the resources such as the vehicles, communications equipment and overtime pay.

So we bring in the local resources in that manner. So we are continually alert to ways in which we can improve the drug enforcement effort.

FBI OVERSEAS OPERATIONS/DEA INTEGRITY

Mr. MILLER. To give an example of also what I had in mind when you speak of the number of people that are overseas and DEA representatives, does the FBI have their representatives, their agents overseas, too?

Are you tramping on their toes or are they tramping on your toes overseas?

Mr. MULLEN. Not at all. We are going to maintain the integrity of the DEA overseas operations. The agents overseas are called country attaches. As I indicated, there are 178 of those. The FBI calls their overseas agents legal attaches and they perform vastly different functions.

The DEA are out there working with the local police, gathering intelligence, spotting growing areas.

The FBI legal attaches are also involved in intelligence exchange

across information from Italian sources they would make it available to the DEA counterpart there. They know that each other is there and that they can work together if necessary.

Mr. MILLER. Thank you, Mr. Chairman.

GAO REQUEST/DEA RESPONSE

Mr. SMITH. Has the GAO asked you for some information?

Mr. MULLEN. GAO has asked for a lot of information; yes, sir.

Mr. SMITH. Have you had any problem working it out?

Mr. MULLEN. We have of late. I have implemented new guidelines for what I hoped would facilitate the exchange of information with GAO.

Mr. SMITH. What is the problem? What is your difference of opinion as to what they should have access to?

Mr. MULLEN. I don't know what all of the differences are right now. I can make a copy of the guidelines available to the committee for the record.

Mr. SMITH. Do you think it has been worked out where it is acceptable to both GAO and DEA?

Mr. MULLEN. Not yet. I think one of the critical areas is the access to pending files and to informant files where we believe that in law enforcement we must maintain the integrity of those files. It is very difficult to develop informants and we just do not like them accessed.

Mr. SMITH. Well, they would not want the names of informants. They might want to know that you are actually using the money for an informant's program but they would not want the names of the informants or that kind of information that would reveal sources or anything like that.

Mr. MULLEN. Well, with regard to the pending files we have the same difficulty. I am sure we can give them that type of information to make sure we are using the money properly.

What I have tried to do is have a single focal point here in Washington that GAO can contact. We want to look into this area. We will be arranging visits to these offices rather than have visits to the office not known to DEA Headquarters and things such as that.

These are not insurmountable difficulties and I want to assure the chairman if there is any question as to what we are doing in DEA. I will be available any time to come up and give a personal and very frank briefing but I will work out with GAO acceptable procedures.

FORFEITURES

Mr. SMITH. Now, what about forfeitures? Do you have figures indicating how much has been forfeited in the past year?

Mr. MULLEN. I do.

ment or to local governments?

Mr. QUINN. These forfeitures are generally to the Federal Government.

Mr. SMITH. You are not including amounts that local governments had?

Mr. QUINN. No, sir; those figures do not include the local governments.

Mr. MULLEN. Mr. Chairman, the goal for 1982 is to seize an amount equivalent to or in excess of our budget which was \$231 million.

Mr. SMITH. You are talking about all the problems in the State of Florida. It is a problem but some of those sheriffs think it is not too bad. They get an airplane once in a while. Many have airplanes down there now, the county sheriffs do, and new trucks, and cars.

GSA SPACE

Mr. SMITH. I notice you have requested an 18 percent increase for GSA standard level user charges.

Are you using less space, more space? Are they just charging you more for the same space?

Mr. QUINN. It is basically charging more for the same space.

Mr. SMITH. If you have less people you won't need as much space, will you?

Mr. QUINN. Well, if we were able to decrease the space commensurate with the people but, unfortunately, the reductions are not total office reductions. Generally, they are taking maybe two or three personnel from an office and you would really have to retain the same space.

As a matter of fact, to give up space when we just have a small reduction like that costs us more money.

Mr. SMITH. Well, if it is 18 percent more for the same space, is this space under the same contracts that it was under a year ago? Are they paying more? They are not paying 18 percent more, are they?

Mr. QUINN. Well, overall, GSA is paying more but it is an average rate across the government. The SLUC rate is an average rate. GSA actually pays different rates.

Mr. SMITH. But it is a comparable rate, isn't it? They are comparing the amount that your building would bring if it were rented in the private market, aren't they?

Mr. QUINN. Well, it is a standard rate that they charge across the board and a comparable rate. For example, in our headquarters building, GSA charges us a rate of over \$12 per square foot but they are actually paying a little over \$5.0 a square foot. But in another part of town you may have the reverse situation.

GSA RECURRING REIMBURSIBLES/TELECOMMUNICATIONS INCREASE

Mr. SMITH. Also, you are requesting a substantial increase for recurring reimbursable services and for the telecommunication sys-

Mr. SMITH. Are you using more services and more telecommunications?

Mr. QUINN. No, sir. It is basically an increase in the line charges, the various rates of the telephone companies. We have the GSA non-reimbursable or non-recurring reimbursable services, and that is basically for renewing of existing utilities. And we have Federal telecommunication rate increases.

Mr. SMITH. You mean what GSA charges you for those?

Mr. QUINN. That is correct, sir.

Mr. SMITH. But you don't know how much the increase was to GSA for those?

Mr. QUINN. Not the exact increase to GSA; no, sir.

SEIZURES AND FORFEITURES

I might add, sir, on those figures that I quoted earlier on the seizures and forfeitures, there are some State and local seizures and forfeitures included in that information.

Mr. SMITH. Do you have any idea how much?

Mr. QUINN. Yes, sir; I think I can set it forth for you.

In the seizure area approximately \$23 million of that total figure of \$161 million—correction, sir. Approximately \$13 million of the \$160 million were State and local and the forfeitures, approximately \$13 million of the \$109 million were State and local.

Mr. SMITH. That means the general Treasury got how many dollars?

Mr. QUINN. Well, that is something that is difficult to track. Right now the total seizures and forfeitures and what actually went back into the Treasury for the 1981 period from what we can track in DEA, we are only talking a few million dollars.

Now we are tightening up our procedures in that area so that we will be able to track that more accurately in the future. Some of that money we are aware of. Other money goes back through other agencies into the Treasury that we do not have a track on.

LANGUAGE CHANGES

Mr. SMITH. You are asking for some appropriations language changes. What do you have to say about that?

Mr. QUINN. Basically in the appropriation language, what we are looking for in new authority is the carryover PE/PI of approximately \$1.7 million, approximately 15 percent of our PE/PI budget and, of course, we have in our language this year the purchase of 277 vehicles which was in last year's language.

BANK SECURITY ACT

Mr. MILLER. Mr. Chairman, I do have a couple of questions, if I might.

There have been reports that DEA is not making full and effective use of the Bank Security Act which requires the reporting of

particular law and several operations such as Greenback down in Florida specifically utilize that law.

The DEA would make use of it when cases are referred from Customs when they do identify a trafficker through monitoring the transactions of \$10,000 or more.

I mentioned earlier the Asset Removal Committee being chaired by Mr. Walker at Treasury and that is another facet of that program, to track the large money transactions.

So I believe it is being utilized. We are well aware of the law and what it can do for us.

Mr. MILLER. You feel that DEA is utilizing the law?

Mr. MULLEN. I do.

BUDGET REDUCTION IMPACT

Mr. MILLER. Another article was in one of the local papers and it was conveying the message that you were out of money and that many of the DEA agents, investigators, whatever you may call them, were restricted in travel and that many of the automobiles were not able to move out of the garage because there was not money to even buy gasoline or diesel fuel or whatever is required.

Is there anything to that report?

Mr. MULLEN. Some months ago when it appeared as though we were going to take a significant budget reduction somewhere in the area of \$201 million in 1982 we did have some difficulty with the purchase of gas and some of the cars were tied up.

However, we were never restricted to travel in connection with an investigation or for court testimony or anything like that.

In the end we were given the budget of over \$231 million for 1982 which is adequate and we have had no difficulty in pursuing our investigations.

This article may be dated.

Mr. MILLER. It is dated, as a matter of fact. It is November 20, 1981.

Mr. MULLEN. We were having some difficulty at that time.

Mr. MILLER. Perhaps it is stretched a little, too. I read the first of the article:

The Federal Drug Enforcement Administration has run short of funds to reimburse its agents for hotel rooms and meals while out of town. One group of agents in Detroit has been sleeping on rented cots and cooking on a hot plate while on an out-of-town assignment.

Mr. MULLEN. We may have had that happen. I would have to look into the specific case that they were not doing it because of their location in an undercover investigation or something like that.

Mr. MILLER. That is different than what the article is implying, though, that you did not have funds for hotel rooms.

Mr. MULLEN. We did have some difficulty and we restricted the travel in connection with the training programs or conferences but

Thank you.

Thank you, Mr. Chairman.

Mr. SMITH. Thank you. We have some additional questions which we will submit to you and ask you to answer for the record.

Mr. MULLEN. Thank you, Mr. Chairman.

[The questions and the answers thereto follow:]

QUESTIONS SUBMITTED BY CONGRESSMAN SMITH

Appropriation Language Changes

On page seven of the justifications you list several changes to the appropriation language which you are requesting. What is the alleged need for these changes?

We have proposed that our 1983 Appropriations Language includes the authority to carry-over for one additional year about 15 percent of our annual Purchase of Evidence/Payments for Information (PE/PI) availability. This will provide this capability to continue investigative activities at the start of new fiscal year and to assure effective use of this investigative tool. This authority was included in the Supplemental Appropriations and Recission Act of 1981 and is included in both the House and Senate versions of H.R. 4169, the 1982 Appropriations Bill now pending in the Congress.

Also we are requesting the authority to purchase the same number of passenger motor vehicle (277) planned to be purchased in 1982. The apparent reduction in the number of vehicle to be purchased (from 375 to 277) noted in our Appropriation Language is the result of utilizing the language in the last Appropriation Bill approved by Congress - H.R. 7584.

With respect to the multi-year authority for expenditure of funds used for the purchase of evidence and payments for information, how much was obligated for this purpose in FY 1981 and what do you anticipate will be obligated in FY 1982?

A total of \$9,521,000 was obligated in 1981, and our budget for 1982 contains \$10,584,000.

Program Decreases

On page two of the justifications you indicate that heroin availability and subsequent abuse increased in 1981. You also state that emergency room incidence of heroin/morphine abuse increased by 26 percent in 1981. In view of these statistics, why are you proposing a decrease of 100 workyears for FY 1983?

The reduction of 100 workyears and \$2,500,000 is being proposed to support the President's Economic Recovery program. The workyear decrease will be allocated to the following:

the elimination and immobilization of those in the highest echelons of organizations trafficking in priority drugs of abuse. This will be accomplished by targetting the source of illicit drugs; interdicting drugs at transshipment points where opportunities to target production at the source is limited; increasing overall pressure on heroin trafficking networks; and by immobilizing major traffickers and their organizations through seizures of drug-related assets.

Page nine of the justification indicates that the proposed cut of 100 workyears is spread among each of your program activities. Was this done to minimize the effect of the reduction? Do you think that there is a risk that you will weaken each of your activities with this approach?

The reduction has been allocated in proportion to workyears in all programs to minimize the impact on the nation's drug enforcement effort. It is anticipated that the 1983 requested workyear level will enable DEA to provide for the on-going level of operations in all programs.

DEA and FBI Consolidation on Drug Investigations

Recently the Attorney General announced that DEA and FBI would consolidate their operations on drug investigations. Could you tell us the purpose of this reorganization and describe for us what are the main features of the reorganization?

- . The FBI will be given concurrent jurisdiction with DEA over drug offenses.
- . DEA will be placed under the general supervision of the Director of the FBI. The Administrator of DEA will report to the Department of Justice through the Director of the FBI.
- . The FBI's resources and wide deployment will:
 - . increase the number of agents available for drug work;
 - . establish a law enforcement presence in locales in which DEA had a negligible presence;
 - . enhance the ability to conduct:
 - . Title III investigations
 - . financial investigations
 - . joint organized crime investigations
 - . "epin-off" public corruption investigations.
- . The Forum for Cooperative Strategy has been formed. The Committee will be chaired by the Associate Attorney General and will include the FBI Director, the DEA Administrator, the Assistant

the Department will begin cross-training and limited agency rotation programs.

- DEA will continue its regulatory and compliance activities.

Why wasn't this committee notified of this reorganization in accordance with our reprogramming and reorganization policy?

The Attorney General's announcement, giving the FBI a greater role in drug enforcement, should not have been interpreted as the basis for a functional DEA/FBI reorganization. The major difference is that the Administrator of DEA will report through the FBI Director to the Attorney General. Granting the FBI jurisdiction over drug enforcement efforts has not involved a functional DEA/FBI reorganization; selected FBI resources and personnel will now be assigned to work with DEA in the investigation of narcotics trafficking.

A reprogramming of personnel and funds may be required and the Committee will be notified of any reprogramming as soon as it is approved by the Department and OMB.

How will joint operations between the DEA and the FBI related to drug investigations be managed? Who will be in charge? How will the resources of the two organizations be allocated? Who will maintain files and records and how will these joint operations be targeted?

DEA and the FBI field office managers will identify major drug trafficking groups in their divisions and thereafter either individually or jointly target them for investigation utilizing the available resources and expertise of both agencies.

In all field offices DEA and the FBI will each assign an experienced special agent on a liaison basis for the purpose of insuring day-to-day coordination and cooperation in investigative matters. Certain types of joint investigations will require Headquarters approval for both organizations.

In general, the agency that initiates the investigation and develops the primary investigative information will be in charge. It is expected that a high level of cooperation will exist between the DEA and the FBI and will result in a large number of joint investigations. In these cases a written operational plan will be agreed to by both agencies and this plan will indicate which agency will be in charge.

There are three ways in which FBI agents and resources may be devoted to drug investigations.

First, in pursuing violators traditionally within the jurisdiction of the FBI, drug related aspects may be uncovered. With the coordination of the DEA these drug-related aspects may be pursued as part of the FBI's new authority. Secondly, joint investigations between the FBI and the DEA will result in the full scope of FBI resources being applied to drug law enforcement. Thirdly, joint investigations

The Headquarters Review Committee will develop procedures for indexing into agency files. This will assure a full exchange of information in keeping with a mandate of complete mutual support. Attached is a copy of the DEA/FBI Implementation Guidelines.

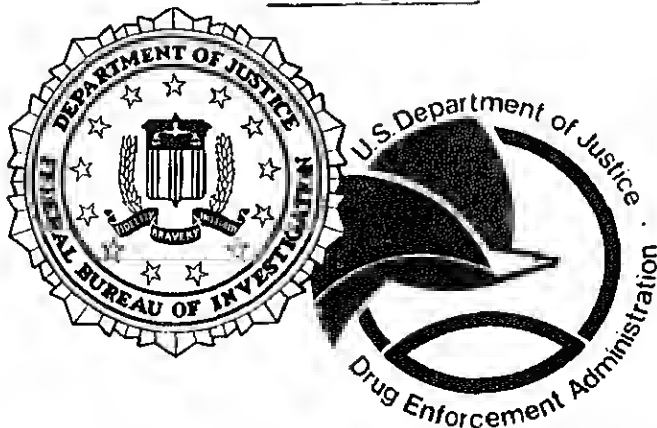
U.S. Department of Justice
Federal Bureau of Investigation

Implementation Directive
For Concurrent Drug
Investigative Jurisdiction
Between

The Drug Enforcement
Administration

and

The Federal Bureau of
Investigation

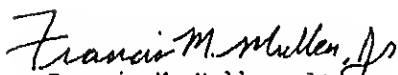


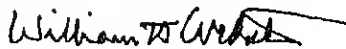
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Federal Government will do its utmost to assist in the reduction of crime throughout the Nation. In keeping with this mandate, during the past year Attorney General William French Smith initiated a task force to examine in depth the crime problems facing this country today. The task force findings endorsed, among other items, the proposition that the Attorney General should support the implementation of a clear, coherent and consistent national policy with regard to narcotics and dangerous drugs, reflecting an unequivocal commitment to combating international and domestic drug traffic.

The Attorney General, in order to insure maximum effectiveness and efficiency in the enforcement of criminal drug laws in the United States, on January 28, 1982, made the resources of the FBI available to complement and supplement those of the DEA in this effort. To this end, the FBI concurrently with the DEA was granted authority to investigate violations of the criminal drug laws of the United States. To insure complete coordination of the drug enforcement effort of the U. S. Department of Justice, the Administrator of the DEA will perform his functions under the general supervision of the Director of the FBI and will report through him to the Attorney General as appropriate.

This initiative by the Attorney General in harnessing the investigative resources of these two great institutions with long, proud and richly deserved records of achievement is unparalleled. The enclosed implementation directive, prepared jointly by the FBI and the DEA, addresses areas in which the FBI will supplement and, just as important, complement the efforts of the DEA in jointly attacking the drug crime problem nationwide. Acting Administrator Mullen and his field representatives will continue to be the primary architects of

will ultimately succeed only with the full realization of all investigative personnel that we in the DEA and FBI are allics joined together in a unique venture to address the most significant crime problem facing the Nation today. I am confident that through the dedication, cooperation and professionalism of all personnel, we will accomplish our mandated goals and will have a major impact on the illicit trafficking of drugs.


Francis M. Mullen, Jr.
Acting Administrator
Drug Enforcement Administration


William H. Webster
Director

I. BACKGROUND

Illicit drug traffic presents an ever-increasing threat to our society, its institutions and people. The Attorney General has identified drug trafficking as the number one crime problem in the United States. Clearly, an increased Government response is needed. On January 28, 1982, the Attorney General issued an order delegating to the FBI concurrent jurisdiction with DEA for investigations of violations of the Comprehensive Drug Abuse Prevention and Control Act of 1970, hereinafter referred to as the Controlled Substances Act. The Attorney General also announced that the Administrator of the DEA will function under the general supervision of the Director of the FBI, who will continue to report to the Attorney General. This decision recognizes that the strengths and unique capabilities of each agency, when joined together, will result in a more effective national drug investigative effort. The purpose of this joint directive is to implement the Attorney General's decision.

drug industry; drug intelligence analyses; and publication of appropriate strategic assessments.

In delegating concurrent jurisdiction to the FBI as it relates to the Controlled Substances Act, the Attorney General has mandated that the FBI assume a significant drug enforcement role working in close cooperation with DEA. He has also directed that FBI expertise in such areas as organized crime (OC), financial investigations and white-collar crime investigations be fully utilized in drug enforcement work.

In furtherance of these directives, the FBI will focus its resources on drug investigations involving traditional OC families (La Cosa Nostra), violence-prone, nontraditional OC groups such as the outlaw motorcycle gangs, and ethnic or racial OC groups such as the Israeli, Mexican and Black Mafias and La Nuestra Familia. The DEA will continue to focus on investigations of major drug organizations according to established priorities. Where feasible, the FBI and DEA will buttress each other's investigative role by utilizing each agency's intelligence base and expertise. Nothing in the above delineation of roles will preclude either agency from coordinated selection of prioritized, mutual targets of opportunity.

The specific areas of responsibility and requisite coordination between DEA and FBI will vary with the availability of resources and the extent of the drug crime problem in a particular field division. Therefore, it will be incumbent upon FBI and DEA field office management to identify the major drug-trafficking groups in their divisions and, thereafter, either individually or jointly target them for investigation, utilizing available resources and expertise of both agencies.

In major urban areas, the number of joint investigations will be greater, necessitating close coordination to preclude

major distributors and organizations involved in the manufacturing, importing, distributing and financing of illicit controlled substances. To effectively immobilize these major organizations and traffickers, conspiracy investigations (particularly the use of the Continuing Criminal Enterprise and Racketeer Influenced and Corrupt Organizations Statutes) should be the focal point of our investigative efforts. Resources, both personnel and financial, should not be devoted to targeting street violators, which would duplicate the role of state and local law enforcement agencies.

III. COORDINATION OF INVESTIGATIVE ACTIVITY

A. Introduction

A successful cooperative effort against drug trafficking will depend, in large measure, on the degree of coordination and the spirit of cooperation at all levels. All Special Agents must recognize that rules and procedures cannot substitute for good-faith cooperation, which will be expected from all personnel of both agencies. Concurrent jurisdiction in drug investigations without proper coordination could cause not only inefficient use of resources and information, but create dangerous situations in street operations. Inefficiency caused by duplication of effort or failure to take full advantage of opportunities to combine resources or information for a better investigative product must be avoided.

B. Headquarters Coordination

1. The Executive Headquarters Staff of DEA and FBI will meet regularly, as appropriate, to insure mutuality at the policy level.

2. A Headquarters Review Committee, consisting of equal FBI and DEA representation, will be established. The purpose of this Committee is to monitor the implementation of this directive, develop new national-level initiatives and resolve any problems

the purpose of insuring day-to-day coordination and cooperation in investigative activities.

C. Field Coordination

1. Management Meetings: The Special Agents in Charge and appropriate supervisory personnel of both agencies will be responsible for the implementation of this directive. Thereafter, meetings will be held on a regularly scheduled basis to enhance coordination, resolve problems and discuss ongoing or contemplated operations which may affect or be of interest to the other agency. It is expected that first-line supervisors of both agencies will have an ongoing dialogue with their counterparts.

2. Exchange of Liaison Officers: In all field offices, DEA and the FBI will each assign an experienced Special Agent on a liaison basis for the purpose of insuring day-to-day coordination and cooperation in investigative matters.

3. Investigative Coordination:

a. Federal-level drug investigations fall into one of three categories:

- i. Investigations of matters within the DEA's area of responsibility as outlined under Part II of this directive and conducted solely by DEA or by DEA with agencies other than the FBI;
- ii. Investigations of matters within the FBI's area of responsibility as outlined under Part II of this directive and conducted solely by the FBI or by the FBI with agencies other than the DEA; and
- iii. Joint FBI/DEA investigations.

b. With the exception of minor drug investigations

should be coordinated through the liaison
Agents at the field office level in order to

- i. Insure that the DEA or FBI does not currently have an investigation ongoing with regard to the proposed targets of the drug investigation;
 - ii. Obtain all intelligence information each agency may have regarding the targets of the proposed investigation; and
 - iii. Determine any interest on the part of the FBI or DEA to enter into a joint investigation regarding the targeted subjects.
- c. At the outset of joint investigations, a specific plan should be devised at the field office level regarding the role of each agency (FBI/DEA) in the investigation. Each Headquarters should then be advised of this plan by established procedure.
- d. Request for Investigative Support: DEA may request assistance from its counterpart FBI field office investigative expertise available DEA may request a DEA field of investigation available FBI operations to:
- i. Develop

v. Assistance in the development of the

financial aspects of drug investigations.

e. Joint FBI/DEA Investigations: Joint

investigative efforts on a long-term basis are encouraged when the investigative targets are appropriate and resources of the respective agencies are available. Such investigations will require approval at the FBI/DEA Headquarters level. Funding of drug purchases, other operating expenses and dissemination of informant information will be handled in accordance with information set forth in other portions of this directive.

IV. INVESTIGATIVE MATTERS

A. Investigative Expenses

As a matter of policy, each agency will bear its own investigative expenses and acquire supplemental funding through established agency's procedures.

Where one agency plays a minor, supportive role, the primary agency will supply the funds for the purchase of drug evidence.

In joint investigations, the agency responsible for funding purchases of drug evidence will be decided at the development of the operational agreement.

Policy relative to payments to informants is discussed in Subsection IV., C.

B. Access to Information Systems

Both the FBI and the DEA have developed a variety of information systems which will be utilized in drug investigations. As a matter of policy, there will be a full exchange of information

Review Committee, among other duties, will develop procedures for indexing into agency files.

C. Informants and Cooperative Witnesses

Informants will continue to be handled and supervised by their respective agencies. Each agency's informants will be routinely debriefed on matters of interest to the other agency. To facilitate this, a debriefing guide will be provided containing areas of inquiry pertinent to each agency. The respective Special Agents in Charge will be responsible for the prompt, complete dissemination of informant information to their counterpart.

Cooperative witnesses will be controlled by the appropriate agency. In joint investigations, there must be an agreement as to which agency will control the cooperative witness to insure consistent and productive use. As with informants, appropriate dissemination of information must be made.

Informant payments will generally be made from the funds of the agency controlling the informant. Payments to informants of the other agency can be made in appropriate cases with concurrence of the respective Special Agents in Charge, Headquarters' approval if necessary and appropriate documentation.

D. Technical Support to Investigations

As a general rule, each agency will provide its own technical support as dictated by needs and capability. Should a need be identified in the local field office of either agency which cannot be locally met, support will be sought from that agency's Headquarters, as would normally be the case. If the support is needed on a short-term basis, the Special Agent in Charge, at his discretion, may seek assistance from his counterpart as this will be most efficient and cost effective in such situations. Longer term or more sophisticated requirements will be forwarded to the appropriate Headquarters where the

... of each agency to familiarize each other on available capabilities to insure that investigations are enhanced to the fullest within the total capability of both agencies.

E. Evidence Processing

1. Drug Evidence - As a matter of policy, the DEA laboratory system will be responsible for the analysis of all drug exhibits collected, purchased or seized by either agency under any circumstances. Conversely, the FBI laboratory system will be responsible for analysis of all nondrug evidence requiring examination or analysis for investigations of either agency. Latent fingerprint examinations will also be accomplished in the FBI Identification Division for both agencies. This policy recognizes the efficient use of developed expertise, especially as it relates to expert testimony at time of trial. Any evidence submitted for analysis to the facilities of either agency will be processed with the same priority as if submitted by personnel of the host agency.

Where drug evidence is acquired in a joint FBI/DEA investigation, custody normally will be assumed by DEA for processing and submission to the laboratory.

Of special note is drug evidence seized by the FBI incidental to the arrest of a DEA fugitive. The processing of this evidence will be coordinated with DEA field management to assure that the prosecuting U. S. Attorney's Office is afforded the use of this additional evidence at trial. This may require transferring custody of the drugs to DEA for processing or direct FBI submission to the DEA laboratory handling other drug exhibits in the case.

2. Nondrug Evidence - Special Agents in Charge will be responsible to insure that the investigative value of nondrug evidence of interest to the other agency is shared fully.

seizure of a clandestine laboratory without the presence of a DEA chemist experienced in the required procedures.

F. Furnishing Controlled Substances

Controlled substances are by their very nature harmful to humans and, therefore, require a special degree of care in handling. The responsibility for keeping these substances out of the hands of the public applies to all law enforcement personnel. The handling of these substances must be distinguished from other forms of contraband or instruments of criminal activity. However, there are certain circumstances in which it is advantageous to an investigation to furnish small quantities of controlled substances to a violator through an undercover Agent or informant. The furnishing of a controlled substance by an Agent of the Government is considered sensitive enough to require the personal approval of the Administrator of DEA. In joint investigations, concurrence of both Headquarters will be required.

The Acting Administrator of DEA will develop standards for making decisions for furnishing controlled substances, mentioned above, and for allowing drugs to leave the Government's control, mentioned under Subsection G, which apply equally to DEA and FBI. This approach will provide for consistent standards for both agencies, and these standards shall be implemented upon approval of the Director of the FBI. Drugs shall not be allowed to leave the Government's control without the concurrence of the Acting Administrator of DEA unless specifically authorized by the Director of the FBI.

G. Other Instances of Allowing Drugs to Leave the Government's Control

There will also be situations when specific information is developed by an informant or through other investigative techniques, such as a court-approved electronic intercept, regarding the shipment, delivery or location of controlled

plan to seize the controlled substances. In certain cases, it may not be appropriate to seize such drugs in order to enhance the effectiveness of an investigation (e.g., continue Title III, begin new Title III, develop undercover operation). The FBI or DEA may continue an investigation without seizing substantial amounts of illicit drugs only when authority is obtained from the Administrator of DEA. In joint investigations, the concurrence of both Headquarters will be required.

H. Show Drugs

In some instances in order to develop evidence of a subject's involvement in a major drug conspiracy, undercover Agents may pose as drug manufacturers or distributors rather than drug buyers. This type of undercover operation may require the display of quantities of controlled substances obtained from a DEA regional laboratory. Approval for such activity must be sought from the appropriate Headquarters following established procedures and, in joint investigations, concurrence of both Headquarters will be required. In conducting this type of undercover operation, the FBI and DEA will insure that close contact and coordination are maintained between each other, and the agency (FBI/DEA) conducting the operation will insure proper coordination with state and local agencies in order to avoid a confrontation situation.

I. Seizure of Trafficker Assets

With the delegation of concurrent drug investigative jurisdiction to the FBI, Special Agents of the FBI will be authorized to seize property or other assets of traffickers as provided in Section 881 of the Controlled Substances Act following established procedures. The disposition of property suitable for official use will be made with the seizing agency having the first opportunity to place the property in service. In joint investigations, disposition of property

investigative attention within the FBI. The initiation of these investigations will be coordinated by FBI Headquarters with direct support from DEA Headquarters. At the outset of the fugitive investigation, the appropriate DEA field office will provide all known information regarding the individual, and DEA will subsequently conduct no unilateral investigative efforts to apprehend the subject. Upon apprehension, the appropriate FBI Special Agent in Charge will be responsible to insure that his counterpart is expeditiously advised of the apprehension of the subject.

K. Coordination with Other Law Enforcement Agencies

The implementation of concurrent drug investigative jurisdiction will require close attention by the Special Agent in Charge and Headquarters' officials to insure that traditional interagency relationships will not be disrupted. DEA will continue to be the agency responsible for coordination of the drug program with state and local agencies. This role will also continue in relation to U. S. Customs Service, U. S. Coast Guard and others involved in the various drug interdiction efforts. DEA, in consultation with their FBI counterparts, as appropriate, will continue to be the spokesman for the Federal drug program.

In those investigations where DEA is playing a minimum support role or is not directly involved, a key element in the FBI's ongoing coordination efforts will be the advisement of DEA of the FBI's interaction with state or local law enforcement agencies in the investigation.

All Special Agents in Charge will be held accountable to insure that "agency shopping" by third parties does not develop.

The Special Agent in Charge of the respective agency should insure that their drug-related initiatives are known

will include the investigation of leads generated in all types of FBI/DEA cases. In joint cases, the domestic DEA offices will transmit the investigative leads following established procedures. Where the FBI is conducting a drug investigation and there is minimum DEA participation, the request for foreign investigation will be transmitted to FBI Headquarters which, in turn, will task DEA Headquarters to transmit the lead to the appropriate DEA foreign office for action. An information copy of the request will be provided to the local DEA office by the originating FBI office for information and coordination. An information copy of investigative matters involving FBI interests will also be simultaneously provided by the DEA Country Attache to the FBI Legal Attache for information. Any involvement of FBI personnel in foreign investigations must have the concurrence of both Headquarters.

M. Referral of Public Corruption Information

A priority within the FBI is the investigation of public corruption which is showing a significant increase in relation to drug trafficking. As a matter of policy, any drug case initiated by DEA which develops a public corruption aspect will be immediately coordinated with the appropriate FBI Special Agent in Charge and a mutually agreed upon plan established for pursuit of the case. Additionally, DEA informants routinely will be debriefed regarding public corruption matters. Indications of drug-related corruption on the part of foreign officials will be forwarded to the appropriate DEA foreign office for action. The DEA foreign offices will coordinate such information with the FBI Legal Attache having geographic jurisdiction for the country involved.

Any information developed which reflects on the integrity of employees of either agency will be immediately forwarded, following established procedures, to the Office of

N. Reporting Investigative Results

When an investigation is conducted primarily by one agency with the other agency providing minimal support, the reporting rules of the principal agency will be followed throughout. In joint FBI/DEA investigations, a determination will be made at the outset as to which agency's reporting rules will be utilized in order to prevent duplication of recorded information.

O. Measurements of Accomplishments

As a result of concurrent jurisdiction, DEA and the FBI will each establish internal procedures for monitoring resources committed and results achieved in joint or independent cases, consistent with each agency's internal management controls and needs. In addition, it will be the responsibility of the Headquarters Review Committee to establish a common system for measuring accomplishments. The elements of this system, as well as reporting requirements, will be agreed to by each Headquarters and appropriate procedures established and published.

V. TRAINING

FBI Headquarters, in concert with DEA Headquarters, will be responsible to insure that a sufficient number of FBI Special Agents receive requisite training to conduct Federal-level drug investigations with minimal support from DEA. Conversely, DEA Headquarters, in concert with FBI Headquarters, will be responsible to insure that all DEA Special Agents are apprised of traditional FBI jurisdictional interests and an appropriate number of DEA Special Agents receive requisite training to enhance these joint efforts.

VI. PROCEDURES

The Headquarters Review Committee will be responsible to oversee the development, coordination and implementation of the necessary procedures for the implementation of the policy

procedures or subsequent policy published as a result of the delegation of concurrent drug investigative jurisdiction to the FBI, must be coordinated with appropriate elements of the other Headquarters.

Will this reorganization can some of the support operations common to the agencies, for example, training, laboratories and support personnel be consolidated at significant savings to the government? What efforts have been made to study this possibility?

Under July 1 by the Attorney General it has been decided that DEA and the FBI exist as separate agencies with the Administrator of DEA reporting to the Attorney General through the Director of the FBI. However, there will be increased use of capabilities which are common to the individual agencies. Development of support systems will continue to be coordinated with a view to ensuring the most economical and compatible operations. It is now planned that the support operations common to both agencies will be consolidated.

Drug evidence submitted for analysis to laboratory facilities of the other agency will be processed for analysis with the same priority as if submitted by personnel of the same agency. Due to the increased involvement of the FBI in drug cases, the DEA laboratories will have an increase in drug evidence workload.

Case-tracking of agents will be done at the respective training facilities.

We would anticipate that there would be a significant impact on the drug traffic through the more efficient use of currently available personnel in the DEA and the FBI, as well as other agencies.

Development of support systems will continue to be coordinated with a view to ensuring the most economical and compatible operations.

How are foreign cooperative investigations going to be affected by this reorganization? Will FBI agents play a more active role overseas? How will the new organizational structure affect your relationships with foreign governments who are assisting the fight against drugs?

There will be no organizational change in our foreign program. DEA will continue to handle all drug enforcement and liaison matters. Investigative leads, whether developed by the FBI or DEA, will be followed up by the DEA overseas.

Will this reorganization eventually lead to a termination of DEA as a separate organization and a merger of its personnel and other resources with the FBI? Can you give us a timetable on that?

There were a number of reasons for determining that a merger of the two agencies was not appropriate at this time. First, our experience over the last six months of increased DEA FBI cooperation

Finally, a complete merger could not be accomplished without legislation, which would take months to enact. The Administration felt that the urgency of the problem required the agency to move immediately.

The structure the Attorney General has announced establishes a workable long-term arrangement for drug enforcement. One of the problems for past Administrations which faced this issue was that they could only speculate about whether a merger would work. The new structure will give real data on that issue. If, down the road, it looks like the nation would benefit from a merger, that can be undertaken. If it looks like it would not, the current structure can be kept in place.

QUESTIONS SUBMITTED BY CONGRESSMAN EARLY

Drug Enforcement Administration

During the current year the DEA has been devoting fewer resources to the Diversion Investigation Units, and has requested no additional funding for them in FY 1983. Are the states assuming the responsibility for maintaining the units as planned? Will the absence of federal support have any adverse effects on the continuation of the run units?

Eleven states are receiving federal assistance for the DIU in 1982. Of the 12 DIU's no longer provided federal support, 10 states have assumed responsibility for continuing the program. This is due to a variety of reasons, the most significant of which are: (1) lack of adequate state budget resources, and (2) lack of cooperation between key state agencies and professional boards.

This agency has attempted to ease this impact through increased assistance from local field offices in conjunction with the Targeted Registrant Investigation Program. In addition, in the diversion control program, we will attempt to develop, to the extent manpower and budget resources allow, alternatives to the DIU which will be responsive to the needs of individual states.

A major accomplishment of the DIU program was the creation of awareness of the drug diversion problem within the states. In the absence of federal funding might preclude the continuation of a formalized DIU program with state resources, the awareness problem has prompted State Police Agencies to devote special personnel specifically to this problem.

Your justifications indicate that several countries, which produce large quantities of illegal drugs, have enacted laws to curtail drug activities in their countries. Have these laws made a noticeable impact on the quantity of drugs smuggled into the United States? Are some laws more effective than others? If so, the United States encouraged foreign countries to adopt the most effective ones?

leading source country, voluntarily curtailed the production and exportation of methaqualone. At this same time, the Government of Colombia prohibited the importation of methaqualone and notified the appropriate international drug control officials. More recently, Austria, a third producing country, curtailed methaqualone production and expects methaqualone to be under control within the next few months. All of these actions were a direct result of diplomatic initiatives undertaken by DEA with the assistance of the Department of State. These actions have significantly reduced the availability of legitimately produced methaqualone for illicit purposes.

During the period January 1, 1982 to March 21, 1982, law enforcement authorities seized approximately 1,073 kilograms of methaqualone in illicit channels of distribution. During this same period in 1981, law enforcement authorities seized over 7,800 kilograms of methaqualone; a total of 57 metric tons of methaqualone was seized during the entire calendar year 1981. Law enforcement authorities in South America report a scarcity of methaqualone powder for clandestine tabletting operations which have been the primary suppliers of methaqualone tablets for the illicit U.S. drug market.

The narcotic laws recently enacted in the Federal Republic of Germany appear to be effective in reducing the availability of methaqualone and other psychotropic substances for illicit purposes. For example, the free trade zone of Hamburg was the primary shipping/transit point for illicit shipments of methaqualone diverted from international commerce. Under the new German law, the free trade zone of Hamburg is no longer exempt from drug control measures and drug law enforcement authorities. Hamburg officials now report that there are no pending shipments of methaqualone destined for South America.

United States drug authorities are working closely with foreign counterparts in countries which appear to have inadequate drug control measures. In addition, high-level diplomatic missions have been initiated to encourage countries to adopt effective drug laws. Recent meetings with Swiss officials included discussions on German drug traffickers who are storing shipments of diverted methaqualone in Swiss warehouses because German laws are more stringent.

Despite the recent effort of the DEA and other law enforcement offices to curb the amount of cocaine coming into the country, it appears that the drug is still readily available in this country and that the number of users has increased dramatically, particularly among middle and upper class professionals. A recent Yale University study indicated that cocaine used in small doses on an occasional basis was no more harmful than the use of alcohol. How can we best discourage use in the country? Should the criminal penalties imposed for possession of small amounts of cocaine be stronger? Do you have statistics on the arrest and conviction rate of small time users?

Cocaine availability and use has greatly increased in recent years. The best strategy the government can follow to counter this trend

The National Institute of Drug Abuse in the Department of Health and Human Services is the federal agency that monitors usage rates. There are several factors that must be considered with regard to the question of imposing stronger penalties for cocaine use. One is the additional resource commitment that would be required if penalties were stronger. Another is the relationship of cocaine penalties to those of other drugs of abuse, including heroin and marijuana.

Many of the state and local intelligence network projects which have received funding from the Department of Justice are involved in drug enforcement activities. Could you describe for the Committee how these projects have aided the DEA in its enforcement efforts over the past few years, and how, if at all, their absence might impact on the efforts of the DEA?

The Federal Government does receive some information as a result of the state and local drug grant program. However, the vast majority of the information collected primarily benefits state and local governments.

If federal aid is discontinued to these projects, state and local governments will have to make a determination as to whether to continue funding these projects with their own resources. Since the Federal Government, and DEA in particular, currently receive minimal narcotics-related information from this source, their abolition due to lack of state and local government funding would have no significant impact on the efforts of DEA.

Could you describe the DEA's efforts in controlling the domestic cultivation of marijuana?

An estimated 10-15,000 tons of marijuana are consumed in the United States annually. Up to 10 percent of that amount is believed to be cultivated in the United States. A large percentage of the domestically cultivated marijuana comes from Hawaii and California. However, a survey conducted in 1981 by DEA showed that commercial marijuana cultivation exists in at least 25 states mostly in the southeastern and south central areas of the country. The extent of cultivation in these states has not been determined with accuracy but indications are that it is or has potential to constitute a significant illicit cash crop in those states. A recent phenomenon pacing the emergence of commercial domestic cultivation is the technique used to produce an extremely potent grade of a product called "sinsemilla" (Spanish for without seeds). Sinsemilla, with over six percent THC content, is not only shown to magnify the debilitating effects of its ingestion into the body particularly among youth but the high prices commanded and paid are compelling incentives to the grower and can have significant impact on local economies.

Other incentives to grow marijuana domestically center around the advantages inherent in not having to import from a foreign country, dealing with other criminals, traversing great distances and crossing international boundaries.

Since 1979, DEA has supported efforts by state and local enforce-

involvement domestically within a flexible framework such that resource application is scaled to the local situation consistent with DEA's priorities and a policy of encouraging maximum state and local participation and initiative.

The goal of this strategy is to both suppress commercial sinsemilla or high grade marihuana cultivation and to suppress the proliferation of that cultivation in areas that have not yet developed a large or sophisticated growing or marketing capability.

QUESTIONS SUBMITTED BY CONGRESSMAN DWYER

Language Request for Vehicles and Aircraft

On page seven of the justifications you are requesting language which would permit you to purchase passenger motor vehicles and acquire or lease and operate aircraft. Can't asset seizures, which include cars and aircraft, provide DEA with suitable vehicles and aircraft through the forfeiture process so that you would not need to purchase additional transportation equipment?

Not entirely. The provisions of 21 U.S.C. 881 allow DEA to seize all vehicles, vessels and aircraft used to facilitate drug violations. Conveyances valued at less than \$10,000 are forfeited administratively by DEA, unless a claim and bond are filed to make the forfeiture judicial. Conveyances valued at more than \$10,000 are forfeited judicially. Although some of the civil proceedings to complete such forfeitures take time, DEA ultimately places such property in use in as many cases as possible.

We can expect to acquire a limited number through this means due to the following reasons:

- All seizures are not suitable for DEA use. Many are special purpose vehicles, e.g., trucks, campers, motor homes, motorcycles, etc., and many are not economical for DEA use. Further, as violators become more sophisticated and more aware of federal seizure authority, we find that fewer vehicles, which would otherwise be subject to seizures, are owned by the violators. Violators are leasing vehicles in many cases and making only minimum down payments in other cases.
- The forfeiture process takes considerable time (sometimes years). This results in the vehicle under seizure deteriorating. Due to the uncertainty of the process and the time involved, a replacement schedule could not be maintained from this source.
- Most traffickers do not keep required maintenance records, nor is required maintenance performed. Therefore, the seized vehicles, boats and aircraft may be too expensive to maintain, and in the case of aircraft, potentially unsafe.

... copyright by the trafficker. ...
These frequently exceed \$100,000.

What percentage of DEA seizures (FY 1981 \$161 million, approximately forfeited to the U.S. Government?

In FY 1981, DEA asset seizures, which were available for forfeiture under those statutes enforced by the DEA, totaled \$24.7 million.

In FY 1981, DEA asset seizures, which were processed for forfeiture under those statutes enforced by DEA, totaled \$24.7 million. These forfeitures in FY 1981 may not be directly comparable to the FY 1981 seizures, but in some cases are the result of finalization of the forfeiture process relating to seizures in FY 1980 and even FY 1979.

In FY 1981, DEA was involved with many other agencies in investigations which resulted in seizures which were available for forfeiture under the statutes enforced by those agencies. These seizures in FY 1981 totaled \$96.3 million. The records do not reflect the status of the forfeiture proceedings of these other agencies.

Have you noticed an increase in the forfeiture rate of seized assets? If yes, to what extent? If no, please explain.

There was a substantial increase in both DEA seizures and forfeitures from FY 1980 to FY 1981. Based on figures from the DEA Domestic Removal Program (Domestic) DEA seizures increased \$25.3 million during this time, which represents an increase of 64.0 percent. The increase in DEA forfeitures of \$6.1 million was an even greater proportional increase in that this figure represents a four-fold increase of forfeiture amounts from FY 1980 to FY 1981.

During this period DEA deposits to the U.S. Treasury (from all sources) increased over 2.5-fold. It is noteworthy that while proceeds from sales increased 74 percent from FY 1980 to FY 1981, their relative proportion of the total decreased by 6.8 percent. During the same time period the amount of seized monies more than tripled (from \$840 thousand to \$2.68 million).

The proportion of 21 U.S.C. 881A, 881J and the Continuing Criminal Enterprise (CCE) seizures remained relatively stable from FY 1980 to FY 1981. Although the proportion of Racketeer Influenced and Corrupt Organization (RICO) seizures nearly doubled; it still represents a very small percentage of DEA seizure activity (1.3 percent in FY 1980 and 2.2 percent in FY 1981).

Unlike seizures, the relative proportion of DEA forfeitures changed substantially from FY 1980 to FY 1981. The largest shift occurred in Section 881 forfeitures, which decreased from 81.6 percent of all DEA forfeitures in FY 1980 to 49.3 percent in FY 1981. Forfeitures for CCE increased substantially during this time period—from two percent of all DEA forfeitures in FY 1980 to 17 percent in FY 1981.

HEARINGS
BEFORE A
SUBCOMMITTEE OF THE
COMMITTEE ON APPROPRIATIONS
UNITED STATES SENATE
NINETY-SEVENTH CONGRESS
SECOND SESSION

PART 1—(Pages 1-1145)

Arms Control and Disarmament Agency
Board for International Broadcasting
Commission on Civil Rights
Commission on Security and Cooperation in Europe
Congressional witness
Department of Commerce
Department of Justice
Department of Transportation
Department of the Treasury
Equal Employment Opportunity Commission
Federal Communications Commission
International Communication Agency
Japan-United States Friendship Commission
Legal Services Corporation
Small Business Administration
U.S. Trade Representative

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MICHAEL J. ROPER, DEPUTY DIRECTOR, BUDGET STAFF
MICHAEL WENK, OFFICE OF THE CONTROLLER, DEPARTMENT OF JUSTICE

PREPARED STATEMENT

Senator WEICKER. Our next request is that of the Drug Enforcement Administration. The amount requested is \$246,945,000, a decrease of \$2,500,000 from the 1983 base. This appropriation provides leadership in the suppression of narcotics and dangerous drugs at the national and international level, and to enforce the controlled substances laws thereby restricting the aggregate supply of drugs of abuse.

Appearing on behalf of this request is Francis Mullen, Acting Administrator. I will allow Mr. Mullen to introduce those accompanying him. We will be pleased to take your statement in its entirety at this time, or you can go ahead and summarize it.

[The statement follows:]

STATEMENT OF FRANCIS M. MULLEN, JR.

I am pleased to have the opportunity to appear before this Subcommittee for the first time to discuss the Drug Enforcement Administration (DEA) budget, our mission, our objectives and our plans for 1983.

1983 Budget Request

The 1983 appropriation request for DEA totals \$246,945,000 and 3,953 positions. This represents a net increase of \$16,096,000 from the pending 1982 amount of \$230,849,000. This appropriation finances a comprehensive program that operates with field offices in 50 states and 43 foreign countries, eight field forensic laboratories, and Federal/State and local task forces in 18 areas.

In keeping with the President's economic recovery program, our 1983 budget includes a decrease from the current services level of \$2.5 million in salaries

Interagency

Since the DEA last came before the Congress for consideration of its program in conjunction with the appropriation request, there have been several significant changes with regard to how we approach the drug enforcement effort. As you are no doubt aware, on January 21, 1982, Attorney General William French Smith announced major revisions in the Nation's Federal drug enforcement effort. The purpose of these changes is to promote more effective drug enforcement through coordinated efforts involving DEA, the FBI, the United States Attorneys and agencies from other Departments, where appropriate.

The Attorney General has created a committee that will oversee the development of drug policy and assure that all the Department's resources, including its prosecutorial and correctional efforts, are effectively engaged in the effort against drug trafficking.

Additionally, the Attorney General adopted the recommendations of a committee of Department of Justice officials he appointed last summer to study how the DEA's and FBI's efforts could be better coordinated. Responsibility for the general supervision of drug enforcement efforts has been delegated to the Director of the FBI, so that as DEA's Administrator, I now report to the Attorney General through Director Webster. In furtherance of this relationship, the Attorney General also has moved to involve the FBI in the drug enforcement effort. This will, for the first time, bring the full resources of the FBI to bear on the problems associated with drug trafficking.

Assigning the FBI jurisdiction in drug investigations will immediately increase the number of agents available for our mission. DEA will be able to make maximum use of the FBI's wide deployment. In quite a few areas, DEA has small representational offices that will certainly benefit from the manpower and expertise of the FBI.

No less significant will be the enhancement of investigations into the many other violations that go hand-in-glove with drug trafficking. Uniting the efforts of DEA and the FBI will afford the government the opportunity to attack

reporting mode. These two actions will make DEA a more effective, less bureaucratic agency and will also provide managers with more resources for field investigations of drug violations.

In short, the greater involvement of the FBI in the investigation of Federal drug offenses, the recent initiative by the Department of Justice to place the highest priority on the coordination of drug investigative efforts involving the DEA, the FBI, the U.S. Attorneys, and other Federal agencies, and our internal reorganization should result in a more efficient use of drug enforcement resources.

Effect of Drug Abuse and Scope of U.S. Government Strategy

Effects of Drug Abuse

My interests and objectives are to keep the United States Government at the forefront of the drug war. The public has entrusted us with their faith to address this insidious problem which is a major cause of crimes against the public. Violent crime associated with drug trafficking is unacceptable; the drug-money induced erosion of our financial and tax structure is unacceptable; the injurious health repercussions our youth are suffering are unacceptable. Clearly, the drug problem is one which requires Federal leadership not only to manage the international and interstate aspects; but also to influence and motivate State and local authorities to implement worthy drug control programs.

United States Government Strategy

The strategy of the U.S. Government must be to make the trafficking of drugs considerably less lucrative in terms of increased and consistent punishment, and to assure the certain loss of accumulated profits and proceeds of this criminal enterprise. We must also approach the demand issues and make the use of drugs less appealing. Finally, we need to better educate the public about the health consequences of drug abuse.

Impact of Federal Drug Law Enforcement

Federal drug law enforcement can act aggressively in several areas:

to hold to minimum the availability of controlled substances
to seize for forfeiture the profits and proceeds of drug trafficking, and
to strengthen the cooperative Federal, State and local drug enforcement
apparatus to increase the likelihood of law enforcement activity at all
levels of drug trafficking.

Assessment of Drug Trafficking Situation

Heroin

I think it needs to be said that the efforts of DEA have had a demonstrable impact in protecting the American public from the dangers of drug abuse. This success over an extended period of time is the result of following the U.S. national strategy of placing first priority on heroin suppression.

Heroin availability and subsequent abuse continue at relatively low levels compared with record high levels as recently as 1976. We accurately predicted increased supply and trafficking in Southwest Asian heroin, which has allowed time for adequate planning and shifting of resources to prevent the influx from seriously afflicting the U.S. population. We have had unprecedented international success in penetrating drug trafficking networks and disabling their conversion laboratories at overseas locations in Italy and the Middle East thus preventing the converted heroin from reaching the U.S. population.

Dangerous Drugs

Abuse of legally-produced dangerous drugs is our second priority objective. This facet of drug abuse, although perhaps the least publicized component of our total operations, is no less a vital element in our strategy. Sixty to seventy percent of all deaths and injuries from controlled substances are associated with legally-produced drugs. Our international efforts directed toward control of bulk shipments of pharmaceutical material have had significant results. Domestically, our initiatives are targetted at controlling diversion of drugs from legitimate handlers, particularly practitioners. Overprescribing and misprescribing are problems of diversion that are recognized by health professionals as warranting attention. Mobilizing the resources of the business community in the area of diversion of legitimate drugs will be a major component of a Federal strategy.

substances. Control at the source is a pillar of the U.S. drug strategy. All the coca leaves are cultivated on foreign soil; all but seven percent of the cannabis is cultivated beyond our shores. A strong, viable international program is critical to the realization of a measurable impact on the supply of these drugs and the narco-dollars that grow and multiply as a result of the market for cocaine and marihuana. Eradication, crop substitution, income subsidies and enforcement actions need to be set in motion and/or accelerated.

Foreign Operations

DEA Activities

DEA's lead agency role overseas of working actively with counterpart agencies has been highly effective and must be continued. This effort includes technical assistance in eradication, cooperative investigations and legislative proposals, the provision of training, and the exchange of intelligence. We are prepared to work more diligently to achieve our program goals.

Legislative and Diplomatic Efforts

However, we will need the support of the Congress to help convince the leadership of drug-source nations that the United States is firmly and irrevocably supportive of drug control abroad and at home.

Impact of Domestic Activities on Foreign Governments

To effectively persuade foreign governments to act on drug control, the Federal Government must combine a convincing domestic program with a consistent diplomatic program. Strong coordination must be established to ensure that all aspects of the U.S. policy support our drug control interests overseas. Advancement of a firm domestic marihuana control program is a needed demonstration of this commitment. We are actively involved with marihuana-source states to develop and implement domestic eradication programs.

Federal, State and Local Cooperative Activities

Domestically, our commitment to working with the Federal law enforcement community has never been stronger. In these austere times, we have all recognized the need for further enhancement of cooperative endeavors. We are

The El Paso Intelligence Center (EPIC) has a vital place at the heart of our operations. EPIC is an interagency operation supported by DEA, the FBI, Coast Guard, Immigration and Naturalization Service, U.S. Customs Service, Bureau of Alcohol, Tobacco, and Firearms, Federal Aviation Administration, U.S. Marshals Service and the Internal Revenue Service. EPIC also has working agreements with 46 State law enforcement agencies and the Virgin Islands. As the number of participating agencies has increased, the reliability of EPIC's products and services has been recognized by consumers and, as a result, the increase in demand for EPIC's services has been significant. With drug enforcement emphasis on international operations, conspiracy cases and financial investigations, EPIC's workload has become more complex. As a result of the enactment of the Department of Defense Authorization Act, 1982 (P.L. 97-86) on December 1, 1981, DEA can look forward to increased military assistance in drug smuggling incidents and cases, which should provide for further enhancement and utilization of EPIC's capabilities.

Investigative Support in DEA

Thus far, I have discussed our major program directions and, in so doing, I have left unstated the critical components of DEA's activities which support our enforcement program and provide the DEA agents with the needed tools of the trade. Support operations activity encompasses: our strategic and tactical intelligence program; laboratory analysis of evidence in support of investigations prosecution of drug traffickers and support of State and local operations; training programs for all levels of DEA operational personnel, State and local personnel, and foreign officials; and maintenance of an effective technical equipment program, including aircraft operations to support increasingly complex high-level investigations. The individuals who staff these vital functions are extraordinarily committed to supporting our agents and the DEA mission.

Conclusion

For years, DEA has done fine work at home and abroad. In my eight months as Acting Administrator, I have been pleased at the obvious dedication and

unified effort involving DEA, the FBI, prosecutors and others, we will have the resources and the expertise to attack the upper echelons and the financial structures of the Nation's large drug trafficking organizations.

The new unified DEA/FBI effort, however, is only one part of the Administration's concerted program to impact on the flow of drugs into the United States and on those who control and profit from drug trafficking. With statutory restrictions clarified, the Administration is now implementing a program to involve the military in lending equipment, such as radar, to civilian law enforcement and passing on information related to drug smuggling. The Treasury Department is establishing a financial intelligence center in Florida designed to follow and seize the millions of dollars in profits which are transitting banking institutions in Florida.

In addition the Administration is marshalling into Florida investigative resources from around the country, including FBI, DEA, and Customs officers, to exert more enforcement pressure on the trafficking organizations. The Vice President is directing a special task force to coordinate the Administration's program.

The control of the drug problem requires action by every level--individuals, organizations, local and State government, and the Judicial, Legislative and Executive Branches. Legislative initiatives in the areas of criminal forfeiture, bail, and sentencing are essential to these integrated enforcement efforts. We look forward to your support of our agenda.

This concludes my statement, Mr. Chairman. I shall be pleased to answer any questions you or other members of the Subcommittee may have.

INTRODUCTION OF ASSOCIATES

Mr. MULLEN. Thank you. With me today are Jim Williams, Acting Chief of the Budget and Manpower Management Section; Frank Monastero, Acting Assistant Administrator of Operations; Donald P. Quinn, Acting Assistant Administrator, Operational Support; Gene Haislip, Acting Deputy Assistant Administrator, Office of Diversion Control; Malcolm Arnold, Acting Deputy Assistant Administrator, Administration.

Mr. Chairman, I am pleased to have this opportunity to appear be-

pending 1982 amount of \$230,849,000.

Our budget includes a decrease of \$2.5 million in the salaries and benefit base, equivalent to 100 work-years. The ongoing level of operations will be maintained.

The greater involvement of the FBI in the investigation of Federal drug offenses, the recent initiative by the Department of Justice to place the highest priority on the coordination of drug investigative efforts involving the DEA, the FBI, the U.S. attorneys, and other Federal agencies, and our internal reorganization should result in a more efficient use of drug enforcement resources.

The drug problem is one which requires Federal leadership, not only to manage the international and interstate aspects, but also to influence and motivate State and local authorities to implement effective drug control programs. Trafficking in drugs must be made less lucrative and the use of drugs less appealing.

DEA resources will continue to be applied to investigation of, first, heroin trafficking, then dangerous drugs, cocaine, and cannabis trafficking. The efforts of DEA have had an impact in protecting the American public from the dangers of drug abuse by placing first priority on heroin suppression.

Control of drugs at the source, usually overseas, is a pillar of our strategy. We will continue to fulfill the role of lead agency in drug enforcement activities overseas.

Domestically, our commitment to working with the Federal law enforcement community has never been stronger. I believe we will see an acceleration in the number of high level interagency investigations. Right now the Treasury Department is establishing a financial intelligence center in Florida, and investigative resources from around the country are being marshaled in Florida to exert more enforcement pressure on traffickers.

Further, the El Paso Intelligence Center will assume an even more critical importance as a result of the enactment of the Defense Department Authorization Act of 1982, which increased military assistance in combatting drug trafficking.

The control of the drug problem requires action by every level—individuals, organizations, local and State government, and the judicial, legislative, and executive branches.

That concludes my statement, Mr. Chairman, and I am prepared to answer any questions.

IRS/DEA COOPERATION

Senator WEICKER. What is this Treasury financial intelligence center in Florida?

Mr. MULLEN. As an agency of the Treasury Department. If we have individuals we believe are trafficking in drugs, we can furnish that information to the Internal Revenue Service and they could conduct criminal-type investigations.

Senator WEICKER. Has something happened with IRS that I didn't know about?

Ms. INGRAM. Is there a new agreement between the FBI, DEA, and IRS?

Mr. MULLEN. No new agreement. They work within Treasury. That is why Treasury is coordinating this committee. No new agreement that I am aware of.

Senator WEICKER. I think staff ought to find out exactly what is going on here. I have expressed my concern over the years that the Internal Revenue Service is a revenue collecting agency, it is not a law enforcement agency.

Mr. MULLEN. We pass information to them; they don't pass it to us.

Senator WEICKER. I would appreciate a more detailed response as to this item so we can take a look at it.

[The information follows:]

SUPPLEMENTING INFORMATION REGARDING INTERNAL REVENUE SERVICE ACTIVITIES RELATED TO NARCOTICS ENFORCEMENT

Narcotics trafficking produces billions of dollars of income per year for drug traffickers and their financiers. Because experience has shown that virtually none of this income is reported for Federal income tax purposes, the Criminal Investigative Division of the Internal Revenue Service, as part of its special enforcement program, actively investigates major narcotic trafficking cases to determine whether related tax crimes have occurred.

To assist in this endeavor, the Drug Enforcement Administration has a memorandum of understanding with the Service, which was updated in 1980, governing the limited cooperation between the Service and the Drug Enforcement Administration. Pursuant to this agreement, the Service assists in the training of DEA agents in financial investigation techniques. In certain instances, the Service, upon request, makes available experienced financial investigators to assist DEA agents in complex financial investigations related to narcotics trafficking. Furthermore, Service and DEA agents sometimes work together on joint tax and nontax grand jury investigations authorized under existing law and Service regulations. Finally, DEA furnishes the Service with information pertaining to major narcotics traffickers and their financiers so that the Service can, in its discretion, proceed with criminal tax investigations of such persons who receive massive sums of illicit income from drug traffic.

These various activities are all carried out in compliance with the Privacy Act of 1974 and the tax disclosure restrictions enacted in 1976 (26 U.S.C. 6103). IRS activities in the narcotics area look to collection of revenues and have, in fact, resulted in numerous criminal tax convictions of persons involved in narcotics trafficking.

WORK-YEAR REDUCTION IMPACT

Now, having said that, I see there is a decrease of \$2.5 million in salaries equivalent to 100 work-years. Considering the fact the problem

agents in the entire city to cover southern Ohio, the FBI has 5 agents. Where in the past DEA could not implement a wiretap have done so in working with the FBI.

I believe we have an adequate budget and can fully carry out mission, but I am going to watch to see how well we work out relationship with the FBI.

BUDGET REQUEST HISTORY

Senator WEICKER. Mr. Neill, do you want to give us the history of the budget request for the record?

Mr. NEILL. Yes; I will supply it for the record.

[The information follows:]

DRUG ENFORCEMENT ADMINISTRATION
FY 1983 BUDGET
(Dollars in Thousands)

DECISION UNITS	1983 ORGANIZATION REQUEST			1983 OMB SUBMISSION			FINAL FY 1983 OMB MARK CONGRESSIONAL SUBMISSION		
	Pos.	Wys.	BA	Pos.	Wys.	BA	Pos.	Wys.	BA
Police Enforcement.....	1,959	1,949	\$121,577	1,917	1,915	\$113,639	1,917	1,873	\$116,151
Intelligence Cooperative Investigations...	355	391	32,077	355	355	30,826	355	347	31,388
Finance & Regulation.....	361	356	15,730	408	394	16,346	408	385	16,677
Training & Local Training.....	40	39	2,639	49	48	3,101	49	47	3,155
Local Lab Services.....	22	22	1,503	22	22	1,528	22	21	1,541
Local Task Forces.....	114	109	11,674	114	109	12,055	114	107	12,244
Investigation Units.....	...	...	...	...	...	...	...	...	...
Intelligence.....	375	369	18,999	366	362	18,553	366	354	19,033
Church and Development.....	19	18	1,876	19	18	1,891	19	18	1,911
Lab Services.....	182	182	10,566	182	182	10,106	182	178	10,300
Training.....	26	25	2,925	26	25	2,336	26	24	2,344
Medical Operations.....	154	142	19,491	119	116	14,189	119	113	14,377
Investigative Direction & Control.....	263	261	11,387	263	261	11,424	263	255	11,666
Administrative Services.....	113	112	6,706	113	112	6,053	113	110	6,133
TOTAL.....	3,983	3,975	\$257,150	3,953	3,919	\$242,047	3,953	3,832*	\$246,944

* not include reduction of 13 reimbursable workyears.

istration. I certainly don't. I don't think the public does. It is high on the list of priorities, and it seems to me yours is one of the requests that should have been fulfilled in its entirety.

Now it is what, \$2 million and some odd below the request? Decreased \$2 million from last year?

Mr. MULLEN. \$2.5 million program reduction.

Senator WEICKER. What is the difference between the request and what is in the administration budget?

Mr. MULLEN. The difference between our original request——

Senator WEICKER. Before it got the OMB scrutiny.

Mr. MULLEN. This is an increase over 1982. Your question is what the DEA requested and what the administration——

Mr. NEILL. It is an \$18 million increase, net increase over the 1982 budget.

Senator WEICKER. What was their request?

REORGANIZATION

Mr. MULLEN. What was approved? Mr. Chairman, I can add to this. Within DEA, too, as I mentioned in my opening statement, we have taken on an internal reorganization abolishing the regional structure to recapture resources and with the budget we are requesting, I do believe that it is adequate to perform our mission. We are putting 20 additional agents, for example, into Miami where we are having serious problems at present, and sending a number down there on a temporary basis to try to resolve the problem.

NASHVILLE STAFFING REDUCTION

Senator WEICKER. Senator Sasser inquires as to why DEA is eliminating two out of three agents in Nashville.

Mr. MULLEN. In connection with our reassignment and reorganization in the regions, we assessed where we needed the agents most. We have gone from a regional structure to a field office system reporting directly to headquarters. We looked to intelligence, to past performance, availability of resources which could be made available by the FBI. We determined where we could be most effective with the almost 1,860 agents we have on board in DEA. We are going to maintain a presence in all States, but we believe we have got to concentrate in the Northeast corridor, up in New England, New York, down through the Carolinas, Miami, along the Gulf Coast, Texas, and California. We will maintain agents in these other areas, hopefully working with the joint Federal/State/local task force operations, local police and FBI, and we believe we can be even more effective in the future.

joint operations. I point out, Senator, when I went over to DEA on July 1 of last year, we had 10 to 15 cooperative investigations. Today that number is 225. These are all significant investigations that are directed at the highest levels of the drug traffickers.

Senator WEICKER. Excuse me one minute. Senator Mattingly is on the phone. I will be right back.

[A brief recess was taken.]

DOJ/OMB REQUEST

Mr. MULLEN. Senator, in answer to the budget request, the original request was \$257 million to the Department. OMB has approved \$247 million. That request was before we developed a new working relationship with the FBI. We would like to watch this work, let it work—

IMPACT OF LEAN BUDGET

Senator WEICKER. You know what I am afraid of—and I talked to the FBI, I talked to Justice and I talked to you—I see the declining personnel in light of increased problems; everybody has new management plans; new management plans are going to go ahead and solve this. I don't feel that the personnel are necessarily the answer to all of our problems in the law enforcement field. There are solutions we should turn to in terms of continuing education, many situations such as that, but I just don't understand how even one man should be cut from your agency; I really don't.

DEA STAFFING

I think we all recognize this is a real problem, and it certainly isn't getting smaller. I can appreciate new management techniques, and I am sure you are all more brilliant than the people who headed up the agency before you, and all the rest of that. What is the total personnel in DEA?

Mr. MULLEN. Close to 3,900, including 1,860 agents. Three thousand nine hundred and fifty-three positions; 1,872 agents.

Senator WEICKER. One thousand eight hundred agents for the United States of America.

Mr. MULLEN. The world. We have 178 overseas.

Senator WEICKER. No. 1, anybody who wants to get into this line of work, I think, has to be half nuts; I really do. It takes a great deal of courage. When I see the agent or the agents you might have in Hartford—maybe a few more in New York—what they have to cover and what they have to confront, boy, I'll tell you, if I were them, I would want as much backup as I could get.

Comitatus Act, with the repeal of the ban on paraquat and with the bail reform legislation on the Hill. If that is approved, I think we are going to be much more effective because of those reasons.

SEPTEMBER BUDGET REQUEST

Senator WEICKER. Claudia advises me that last year we added 490 positions. Have those all been filled?

Mr. MULLEN. No; we did not add 400 positions.

Senator WEICKER. The President's budget request was for 3,463.

Mr. MULLEN. I see. Yes, we did.

Senator WEICKER. That was his request, and we added 490 to come to the 3,953 level.

Mr. MULLEN. Yes; we did add those positions. That is when there was talk of reducing the DEA budget to \$201 million. At that time, I advised the Attorney General, and I am sure he advised the President; I also testified on the Hill that this would be devastating.

WORK-YEAR REDUCTION/IMPACT ON POSITIONS

Senator WEICKER. How many positions now in this request?

Mr. MULLEN. Three thousand nine hundred fifty-three.

Senator WEICKER. The same as last year.

Mr. MULLEN. Correct.

Senator WEICKER. One hundred work-years reduction. What does that translate to in people?

Mr. NEILL. It can vary.

Mr. MULLEN. It takes more agents to make up a single work-year.

Mr. ARNOLD. It's a difference between a 2-percent lapse rate and a 5-percent lapse rate.

Senator WEICKER. How does that relate in people? If we had no reduction in work-years, what would you have in added people?

Mr. ARNOLD. We would have an additional 100 people working for 1 year.

Mr. MULLEN. What the chairman is asking, it takes 110 agents to make 100 work-years; I think something like that. We need 110 people to actually make up 100 work-years. You take into account leave without pay and so forth.

Mr. NEILL. I am not sure if the question you are asking relates to the number of positions.

Senator WEICKER. I am simply asking if you have the bodies to do the job.

Mr. MULLEN. My answer to that is yes, we do. We have undertaken some of the investigations we have underway with the help of the

Mr. MULLEN. It is not being cut for 1983. It is actually an increase—

Senator WEICKER. It's a dollar increase; it's a personnel cutback. Can you assure me that in terms of the job to be done it won't be cut back?

Mr. MULLEN. That's correct. It will not reduce programs—

Senator WEICKER. That is a small consolation. Many people feel you should be increasing your program efforts.

Mr. MULLEN. In effect, Senator, we are because of the increased involvement of the FBI, the joint task force operations. We have them ongoing around the country now. I think with the new flexibility, we can put them where they are needed. I think we can be very effective. I can cite examples of where you have a local problem in the city, ask for DEA help and we send in undercover agents. We will work with the local authorities; it is not just a DEA job alone.

Senator WEICKER. Well, it has been. You work with local law enforcement agencies, but the FBI situation is of relatively new vintage here, and this assumes the fact they don't have anything to do, that they are not up to their eyeballs in other types of work. I hope this does work out, and I think the cooperation is absolutely necessary if we are going to be effective in this area.

In any event, I think I have made my point. I will take a look at it and the other questions will be put to you for the record.

FOREIGN STAFFING/OPERATIONS

How many do you have in foreign activities?

Mr. MULLEN. One hundred seventy-eight agents, a total of 276 overseas.

Senator WEICKER. Is that an area the FBI also works?

Mr. MULLEN. DEA is very operational overseas. They work much more closely with local authorities, with the foreign police on identifying traffickers, lab sites, and so forth. The FBI is more in a liaison capacity. They are not operational at all overseas. They merely pass information between U.S. authorities and the foreign police. The foreign police conduct the investigation.

In areas like Southeast Asia and Latin America, we must have a greater DEA involvement to get the eradication programs, to identify traffickers, so forth.

1982 DRUG OUTLOOK

Senator WEICKER. What do you see as the biggest drug problem right now in the year 1982 of the various substances being used? What do you see as the rising star?

has grown very fast. The problem with cocaine, as with marihuana, is the attendant violence we have seen in Miami. Some figures I saw, in 11 months of 1981, there were 321 murders in Dade County, 107 related to drug trafficking. It is the attendant violence. I see that as the growing problem.

With regard to heroin, we see bumper crops coming in from Southeast Asia, and we also see a resurgence of activity in Mexico. So heroin, I am sure, will continue to be a problem in the future.

Dangerous drugs are another area. These are the pills, many of which are manufactured in this country. They are second only to heroin—not second to heroin, it is worse than heroin as a problem with regard to overdose, deaths, and so forth. This is a problem amongst our youth. They are all problem areas, but the fastest growing is cocaine.

ADDITIONAL COMMITTEE QUESTIONS

Senator WEICKER. Thank you very much. If there is anything further that you feel we should have, aside from responses to our questions, any further information, don't hesitate to be in touch.

Mr. MULLEN. We are on the right track.

Senator WEICKER. I wish you all the best in the world.

[The following questions were not asked at the hearing but were submitted to the Department for response subsequent to the hearing:]

the FBI since your own resources are estimated to decrease by 100 workyears?

The projected increase of 130 DEA-initiated arrests in FY 1983 results primarily from increased enforcement effectiveness and the continued overall trend of increased total arrests since 1979. Undoubtedly close DEA/FBI cooperation will assist in achieving increased arrest totals.

The workyear reduction will not impact on the agent workyears or agent positions in 1983. The reduction is to be applied to non-agent positions only.

Heroin Purity Levels

The purity level of heroin coming into the country in 1981 was 4.3 percent. What accounts for the increased level which is higher than the 4 percent target set by DEA?

The purity of heroin at the U.S. retail level was 4.3 percent in the fourth quarter of 1981, the first time in three years that U.S. heroin retail purity has risen above 4.0 percent. In the first quarter of 1982, U.S. heroin purity dropped back below the 4.0 percent level to 3.9 percent. The 4.0 percent level is still our target, although all indicators point to continued availability of Southwest Asian heroin and increased availability of Mexican and Southeast Asian heroin through 1982. The fact that we have been able to hold heroin abuse in this country to moderate increases despite abundant supplies of Southwest Asian heroin on the international illicit market speaks well of the intensive U.S. effort mounted against this drug. Federal drug control resources are now challenged to maintain the same level of offensive against heroin coming from three major foreign sources located in separate areas around the world. Extensive heroin control programs have already been established and intensified. These programs significantly multiply the leverage of total existing drug control resources through an integrated heroin suppression effort by international, federal, state and local control elements.

Role of FBI

Explain the system which DEA and the FBI will use in administering the new FBI/DEA coordinating efforts to immobilize major traffickers. What major role will the FBI play?

At the Departmental policy level, the forum for Cooperative Strategy, attended by high ranking officials with criminal justice re-

tion between the Drug Enforcement Administration and the Federal Bureau of Investigation". This document establishes procedures for coordinating drug investigative activity. The Directive also directs the creation of a Headquarters Review Committee to monitor the implementation of the procedures, to develop new national-level initiatives and resolve problems referred by field office management.

How specifically will it benefit DEA's efforts?

While DEA will be the principal drug enforcement agency, the concurrent drug investigative authority of the FBI will result in increased joint investigations, as well as investigative resources to supplement those of DEA. The FBI informants and data bases will be available to DEA investigators. The drug violation aspects of organized crime and white collar crime investigations will be enhanced. The investigation of financial aspects of drug cases will be expanded. Electronic surveillance in drug investigations will be significantly expanded. DEA agents will be cross trained through the FBI academy and field activities. The FBI laboratory will process non-drug evidence.

How are these investigations being coordinated with the Bureau?

The specific areas of responsibility and precise coordination between the agencies will vary with the locale, the nature of the local drug problem, the availability of resources and the extent of the drug/crime problem in a particular field division. FBI and DEA field office managers have been tasked to identify the drug enforcement needs of their area and to coordinate their activities, subject to all appropriate supervision from headquarters.

DEA will continue to be responsible for the coordination of the drug enforcement effort with state and local enforcement agencies. This responsibility will also carry over in relations with the balance of the federal community with drug interdiction responsibilities. Finally, DEA will continue to be responsible for the conduct of drug investigations in foreign countries, in order for the United States Government to present a single point of contact for our foreign drug enforcement counterparts.

When DEA and the FBI work together in the field on a case, who is in charge of the investigation?

In general, the agency that initiates the investigation and develops the primary investigative information will be in charge. In these cases, a written operational plan will be agreed to by both agencies and this plan will indicate which agency will be in charge.

Headquarters will be kept abreast of the regional activities and activity status.

with a view to ensuring the most economical and compatible operations. It is not now planned that the support operations common to both agencies will be consolidated.

Any evidence submitted for analysis to laboratory facilities of the other agency will be processed for analysis with the same priority as if submitted by personnel of the same agency. Due to the increased involvement of the FBI in drug cases, the DEA laboratories will have an increase in drug evidence workload.

Cross-training of agents will be done at the respective training facilities.

We would anticipate that there would be a significant impact on the drug traffic through the more efficient use of currently available resources in the DEA and FBI, as well as other agencies.

Agreements with IRS

Explain the agreement which FBI/DEA made with IRS to increase DEA expertise in conducting financial investigations.

At the present time, the only agreement that DEA has with IRS which would involve the area of financial investigations is the Memorandum of Understanding between IRS and DEA which was updated in 1980. This agreement provides for training of DEA personnel by IRS instructors at the two-week financial investigations school which is now held at Glynnco, Georgia. Additionally, training by IRS to DEA field elements is conducted on financial investigations upon request.

The memorandum also provides for the assignment of IRS personnel to DEA CENTAC units to analyze money flow, seized financial documents and records and to determine the feasibility of charging targeted defendants with tax violations or civil jeopardy assessments when Title 21 charges may not be possible. In addition to the CENTAC program, field units are encouraged to become involved in joint IRS-DEA grand jury investigations to produce both tax, as well as drug charges within the same indictment. DEA continues to provide IRS, on a quarterly basis, lists of Class I and II violators for IRS consideration for possible tax investigations.

State and Local Drug Task Forces

According to the budget justification, 67 percent of the workhours of the Joint Task Forces are devoted to Class I and II investigations. Yet, only 30 percent of the arrests are Class I and II violators. What accounts for this disparity?

high percentage (67 percent) of DEA task force workhours is invested at the Class I and II case level. The continual effort to orient state and local enforcement efforts towards all levels of the illicit drug traffic has enhanced overall task force effectiveness. Although the total number of DEA workhours devoted to the program has decreased two percent since 1979, Class I and II task force arrests have increased 16 percent and Class III and IV case arrests have increased two percent between 1979 and 1981.

In FY 1983, \$12,248,000 is requested for the Task Forces. Has DEA been able to interest state and local governments in picking up a greater portion of the cost?

DEA has initiated serious efforts to have the state and local governments assume a greater portion of task force costs and has experienced limited success. Over the past years all basic salaries paid to state and local police officers assigned full-time to task forces have been eliminated. In some task force situations, the state and local police are providing office space and other facilities for the DEA agents. DEA currently has operational task forces in Baltimore, Maryland and Charleston, West Virginia where no funding or reimbursement is provided to the state and local governments for any expenses.

Targeted Registrant Investigation Program

Could you explain how the Targeted Registrant Investigation Program works? Specifically, how are potential violators identified? How many actual arrests were made in 1980, 1981 and 1982 and what number of convictions were obtained?

The Targeted Registrant Investigation Program (TRIP) is an outgrowth of Operation Script which showed that certain violative practitioners were Class I and II level violators responsible for diverting millions of dosage units into the illicit traffic.

DEA's targeting procedure consists of identifying violators by state. All violators in each state are then ranked one through five according to anticipated priority for an investigation. These state lists are then combined into an overall ranking. A profile is developed on all registrants on the prioritized list utilizing the Automation of Reports and Consolidated Orders Systems (ARCOS), which tracks substances from point of distribution or export to the dispensing level; the Drug Abuse Warning Network (DAWN), which provides hospital emergency room and medical examiner data on drug abuse episodes; and other federal informational sources.

other available information are referred as an integrated package to the appropriate state, where the primary responsibility for practitioner diversion lies. Only the relatively few number of practitioner diverters on the point of a conceptual "violation pyramid" whose activities appear to be either of such a conspiratorial or violative nature as to warrant immediate and appropriate federal attention are referred to DEA field investigators for action.

The number of registrant investigations resulting in arrest has increased substantially as TRIP has become operational. There were 35 arrests in 1980, 81 in 1981, and 81 to date during the first half of FY 1982.

DEA practitioner cases are successful in terms of conviction. To date, no DEA diversion case has resulted in an acquittal. One case resulted in a "no true bill." In another case the criminal indictment was withdrawn and the defendant was prosecuted in a civil proceeding.

GAO Access

One of DEA's program direction budget's major objectives is the responsibility for providing Congress information necessary to carry out legislative and oversight responsibilities. Congress relies heavily on its investigative arm of the U.S. General Accounting Office to audit the executive agency programs and report to Congress as part of the oversight process. Recently we understand that GAO has been having access problems at DEA and is being hampered in carrying out its responsibilities. Is this true?

What restrictions are being placed on GAO's right to access? What legal restrictions do you believe restrict GAO's access to all internal agency files and records? Please provide a full and complete response for the record regarding any changes recently in the GAO/DEA relationship.

It is DEA's policy to fully cooperate with GAO and to respond to their requests. Because of a significant increase in the number of GAO studies in recent years, it has become important to take steps to minimize possible disruption to DEA's operations. DEA regularly has provided access to sensitive data pursuant to GAO's studies. Based on a recent agreement between DEA and GAO, increased information relating to active case files and sensitive internal documents will be provided. GAO, in turn, has made assurances that appropriate security safeguards will be taken to protect this information.

Paraquat Programs

The budget justification describes one of the objectives of the Foreign Cooperative Program as promoting, assisting, and advising countries in the planning and implementation of eradication pro-

When you refer to chemical eradication, I assume you mean paraquat. Are there any less controversial alternatives?

There are some chemical alternatives to paraquat for cannabis and opium eradication. The Government of Mexico uses 2-4-D in its opium eradication program. We are also exploring the manual (versus aerial) spraying of 2-4-D on coca as part of the crop eradication program.

However, paraquat is quick-acting and decisive, and recognized by the United Nations as the most effective and readily available herbicide worldwide. It is a commonly used weed-control agent for agricultural purposes in many countries.

How many countries are using paraquat now?

The Government of Mexico has been successfully using paraquat for cannabis and opium eradication since 1975.

Is there serious consideration being given to using paraquat in this country?

Yes. We anticipate that paraquat will be used during 1982 in domestic cannabis eradication campaigns in those states where its use is deemed both feasible and environmentally safe.

Foreign Cooperative Intelligence Program

DEA has an extensive foreign cooperative intelligence program. Will the FBI in any way assume any of this responsibility from DEA?

No. The U.S. Government must speak with singular voice in drug enforcement matters with foreign police. There will be no organizational change in DEA's foreign program. DEA will continue to handle all drug enforcement and liaison matters. Investigative leads, whether developed by the FBI or DEA, will be followed up by DEA overseas.

The budget refers to the fact that DEA is opening offices in Yugoslavia and Cyprus, and possibly Bern. How many overseas offices does DEA have?

DEA currently has 60 overseas offices. We are now planning to open offices in Barranquilla, Colombia; Curacao, Netherland Antilles; Nicosia, Cyprus; Belgrade, Yugoslavia; and Bern, Switzerland.

The justification describes Yugoslavia and Cyprus as key Southwest Asian heroin transiting countries. We don't often associate Communist countries with having relaxed borders. Is much illicit drug traffic going through Yugoslavia? Where will your office be located there?

cause of the success of the Yugoslav enforcement effort. Yugoslavian authorities have advised that, without exception, all the heroin seized was destined for either Austria or the Federal Republic of Germany.

On the questions of Yugoslavia's political status and its role in international drug control, it should be noted that the differences which exist between economic and political systems bear little or no adverse impact on our mutual interest in drug control. For many years Yugoslavia has been a cooperative and responsive member of INTERPOL, having been the first Eastern Bloc nation to join this organization. Within the past year, the United States has provided training by American Customs and DEA agents to Yugoslavian Customs authorities. As a result of continuing liaison program in Belgrade, a DEA representative from Vienna, Austria, who regularly travels to the area, is notified of all important drug seizures that occur in Yugoslavia. This notification, along with the vital details of the case and the description of suspects, is communicated from the Yugoslav Customs chief to DEA in Vienna usually within days or even hours after a significant seizure occurs. The actual messages are sent by cable between United States embassies in Belgrade and Vienna. To reinforce this liaison and to increase the effectiveness of this cooperative enforcement program, DEA intends to establish a district office at Belgrade.

Cyprus' geographical position lends itself well to traffickers pursuing maritime smuggling operations in the Middle East, particularly in the area of Lebanon. Furthermore, the cooperative and dedicated law enforcement agencies in Cyprus have demonstrated their desire to police their island and its coastal and territorial waters. The DEA has received permission from the United States Department of State and the Government of Cyprus to establish an office in Nicosia.

To what extent are other Eastern block countries affected by drug trafficking and are they cooperating with DEA?

The other principal nation within the Eastern Bloc, besides Yugoslavia, which is used as a conduit for the transit of drugs is Bulgaria. We have had some contact over the years with authorities in Bulgaria and, from all indications, it would appear that these authorities would like to see an increase in this liaison program. However, as a result of what appears to be a lack of sincerity or commitment on the part of the Bulgarian government, we are not optimistic about stepping up such a program until or unless these prevailing conditions change. Once a trafficker decides to cross the Balkans through Bulgaria he is committed to continuing along the land route through Yugoslavia. Based on the performance of the Yugoslav authorities and their open and cooperative spirit, we feel that our most effective choke point is--and will continue to be--the border entry crossing at Gradina, Yugoslavia.

oslovakia, as well as in Hungary and Rumania. Before the current probleme in Poland, a DEA agent from West Berlin had visited Warsaw on several occasions after important drug seizures and in one instance where fifty kilograms of heroin were seized, DEA requested and received a sample of the drugs for special analysis by the DEA Special Testing and Research Laboratory.

The diversion of methaqualone from international commerce directly affected the country of Hungary. Hungary produced 14,500 kilograms of methaqualone in 1979 and 21,500 kilograms in 1980. At the time, Hungary was believed to have been the largest world producer of methaqualone; most of this Hungarian-produced methaqualone was exported to West Germany or Switzerland.

In January 1981, DEA made representations to the Government of Hungary regarding the problem of legitimately manufactured substances diverted into illegal channels--specifically, Hungarian-produced methaqualone. Hungary immediately curtailed the production and exportation of methaqualone and has, therefore, been eliminated as a source country. Additionally, Hungarian government officials have expressed a desire to cooperate with DEA in other matters concerning international drug control issues.

It is known that pharmaceuticals are produced and exported from various Eastern Bloc and Asian countries. Additional monitoring and information collection is necessary to establish the extent of this pharmaceutical export market.

It should be noted that any foreign country, including those in the Eastern Bloc and more recently countries in Asia, who are major producers (sources) of commonly diverted legitimate drugs could potentially be affected by drug trafficking and may be identified in the future.

EPIC

Now that the El Paso Intelligence Center (EPIC) falls under the FBI umbrella, how will drug intelligence sharing and utilization be affected?

The Drug Enforcement Administration will continue as a separate organization within the Department of Justice. As such, DEA's lead role at EPIC will not be affected. The closer working relationship between the DEA and the FBI will include FBI participation at EPIC. This should enhance drug intelligence sharing and utilization among all agencies and states that participate in the EPIC program.

Will the FBI take a more active participating role in assisting

DEA will continue to be the principal federal drug enforcement agency responsible for drug intelligence analysis and the publication of appropriate strategic assessments. There will be a greater exchange of intelligence information between DEA and the FBI; but DEA will remain the agency responsible for disseminating drug-related intelligence to other federal, state and local agencies.

Assistance from DOD

The Department of Defense (DOD) can now assist you in detecting smugglers. Are you getting billed for their services?

Although the regulations (published April 7, 1982 in the Federal Register) implementing P.L. 97-86 permit the Defense Department elements to charge for reimbursement for assistance provided to civilian law enforcement, DEA is not now being billed by DOD.

Seized Assets

Can seized assets (which include cars and aircraft) provide DEA with suitable vehicles through the forfeiture process to reduce the need to purchase additional transportation equipment?

Not very much; the provisions of 21 U.S.C. 881 allow DEA to seize all vehicles, vessels and aircraft used to facilitate drug violations. The conveyances valued at less than \$10,000 are forfeited administratively by DEA, unless a claim and bond are filed to make the forfeiture judicial. Conveyances valued at more than \$10,000 are forfeited judicially, and although some of the civil proceedings to complete such forfeitures take time, DEA ultimately places each property in use in many cases.

DEA has acquired cars, aircraft and boats through seizure. However, we can expect to acquire a limited number through this means due to the following reasons:

- Many seized items in drug trafficking investigations are not forfeited to the government as the aircraft owner is judged to be an innocent party.
- Many aircraft are not owned outright by the trafficker. Therefore, any outstanding lien must be satisfied by the government. These frequently exceed \$100,000.
- Most traffickers do not keep required maintenance records, nor is required maintenance performed. Therefore the seized vehicles, boats and aircrafts may be too expensive to maintain.
- All seizures are not suitable for DEA use. Many are special-purpose vehicles, i.e., trucks, campers, motor homes, motor-cycles, etc., and many are not economical for DEA use. Further, as violators become more sophisticated and more aware of seizure authority, we find...

the uncertainty of the process and the time involved, a replacement schedule could not be maintained from this source.

Coordination with Foreign Countries

What policy guidance has the President's Strategy Council provided DEA in coordinating drug law enforcement matters with foreign countries?

The FY 1982 Federal Drug Abuse Prevention and Control Strategy, which will address this question, is currently under development by the Office of Policy Development.

Mobile Task Forces

Are Mobile Task forces and Central Tactical Units the major investigative vehicle for concentrating on major trafficking organizations?

Mobile Task Forces (MTF) and Central Tactical Units (CENTAC) are two of the major investigative vehicles for concentrating on major trafficking organizations. CENTAC's are directed from headquarters, while MTF's are directed usually by a designated field office.

Both Mobile Task Forces and Central Tactical Units are provided with increased resources from headquarters to accomplish their objectives.

In addition to the above investigative vehicles directed against major organizations, all DEA field offices, individually or collectively, within assigned resources investigate major traffickers and their organizations in that the preponderance of Class I and II cases by definition, have identified multi high-level violators.

How are these organizations targeted?

Targeting of major organizations may evolve in numerous ways; for example, a DEA field office or number of DEA field offices may perceive the need for a CENTAC or MTF for targeting a major organization when the scope of the investigation is beyond their available resources. Or, DEA headquarters might identify a major target by reviewing data from various intelligence sources as well as enforcement case files, and headquarters would recommend that a CENTAC or MTF be established.

For all proposals to establish a CENTAC or MTF, an operational plan is submitted to DEA headquarters detailing the trafficking organization, its operation, and the method and estimated costs of the

How many have been investigated?

Since the inception of MTFs in 1970, DEA has conducted 274 MTF's all of which may be considered as directed against major trafficker organizations. In addition, the CENTAC investigative method, in use since 1973, has been utilized 25 times to investigate major organizations.

The statistics associated with MTF's and CENTAC's, although impressive, do not represent the total effort directed against major trafficking organizations. The ongoing number of Class I and II investigations conducted by field offices are primarily directed against major organizations; for example, in 1981 DEA arrested over 4,700 violators in Class I and II cases and allocated approximately 70 percent of the total domestic investigative workhours to such cases. The number of ongoing Class I and II investigations is not readily available; however, following implementation of the EMIS-II system (Enforcement Management Information System), now under development, DEA will have the computer capacity of determining the number of ongoing Class I and II level cases at any particular time.

How many have been eliminated?

Although DEA has been instrumental in eliminating major trafficking organizations, it is impossible to certify that such groups have been eliminated permanently and thus we cannot quantify such success. DEA's primary thrust is to severely immobilize drug trafficking organizations; in those efforts we have been successful, and can measure the results with some degree of accuracy. Since 1977, CENTAC's have indicted over 1,270 defendants and approximately 57 percent of those traffickers were Class I and II violators. Statistics for the MTF's, which are also targetted against major organizations, are not readily available; however, because of the greater number of MTF's, we can conservatively state that MTF indictments and arrests over the same time frame are at least three-fold the number produced by the CENTAC's. Further, DEA's Domestic Enforcement Program has consistently achieved 6,000 or more arrests per year since 1977, for DEA initiated cases. On the average, 63 percent of these arrests have resulted from Class I and II cases, which with few exceptions are targetted at major drug organizations.

Joint Task Forces

What operation plan is there for managing the joint DEA/FBI resources applied to drug-oriented investigations?

FBI Director Webster and DEA Acting Administrator Mullen have approved an implementation directive for concurrent drug investigations

How will joint operations be targeted?

DEA and the FBI field office managers will identify major drug trafficking groups in their divisions and thereafter either individually or jointly target them for investigation utilizing the available resources and expertise of both agencies. In all field offices DEA and the FBI will each assign an experienced special agent on a liaison basis for the purpose of insuring day-to-day coordination and cooperation in investigative matters. Certain types of joint investigations will require headquarters approval for both organizations.

Who will be in charge?

In general, the agency that initiates the investigation and develops the primary investigative information will be in charge. It is expected that a high level of cooperation will exist between the DEA and FBI and will result in a large number of joint investigations. In these cases a written operational plan will be agreed to by both agencies and this plan will indicate which agency will be in charge.

How many FBI agents/resources will be devoted to drug investigations?

The FBI estimates that in the current fiscal year, 300-500 FBI workyears will be devoted to drug investigations. FBI involvement, however, in drug law enforcement is not a new phenomenon. For the past four years, the FBI has been developing drug investigations as it follows through on organized crime, public corruption and white-collar/financial investigations. Thus if, as the FBI has stated, it will commit between 10-15 percent of its resources for drug law enforcement, not all of this commitment represents resources heretofore not applied to drug law enforcement. Resources have been committed in the past; this commitment is being enhanced in accordance with the Attorney General's mandate.

There are many areas where current FBI activities can immediately be refocused toward drug investigation work without significant "retooling" and obligations. This can be seen, for example, in the application of FBI resources and experience toward the apprehension of drug fugitives, the conduct of electronic surveillance, the conduct of drug-related financial investigations, the enhancement of the DEA training programs, the utilization of FBI criminal data bases and forensic laboratories and the general infusion of manpower to support drug law enforcement operations.

Overall, we believe that the involvement of the FBI in drug law enforcement will have synergistic effect--the combined resources of the DEA and the FBI will be greater than the sum of their individual contributions.

DEA conducts investigations on all applicants for DEA registration. The chart on page 24 shows that the number of pre-registrant investigations conducted increased from 1,414 in 1980 to 2,035 in 1981; for 1982 and 1983, the number of pre-registrant investigations is estimated at 1,500 each year. Considering that the number of applicants for DEA registration increased so markedly from 1980 to 1981, why is it estimated that the number of applications will decrease in 1982 and then remain at that level in 1983?

During the fall of 1980, the National Cancer Institute secured permission from the U.S. Food and Drug Administration for the use of THC (tetrahydrocannabinol) in a widespread research project for the treatment of nausea associated with chemotherapy. THC is the active ingredient in marijuana, a Schedule I controlled substance. This research project received great media attention and was extremely popular with physicians in the oncology field.

During FY 1981, the DEA registered approximately 600 hospitals for participation in the THC research project. THC is now available in most parts of the country for patients requiring this research drug. The DEA thus anticipates a noticeable decline in this workload requirement during FY 1982.

The decline in workload projections from the completion of the THC project is not anticipated to result in pre-FY 1981 projections. This is due to a very gradual increase in the registrant population which will require slight workload increases in FY 1982 and FY 1983.

Compliance and Regulation

On page 24 of your justification, it is stated that information provided through investigations will support rescheduling actions and quota reductions. What are the positive effects such actions and reductions produce in terms of reducing abuse?

The scheduling of a substance imposes a range of controls on prescribing, distribution, production, facility security, and record-keeping. These controls are intended to reduce diversion by making its detection more likely.

The production of Schedule I and II drugs is controlled through quotas. Authorized production is limited to estimated legitimate medical needs. When investigative information suggests substantial diversion and abuse of a Schedule I or II drug, a reduction in the production quota may be justified since the legitimate needs are

Cyclic investigations consists of "regularly scheduled checks on non-practitioner registrants" to detect violations. Are these investigations random and unannounced, or are the registrants informed of them before hand?

Cyclic investigations are unannounced and are generally scheduled every three years on nonpractitioner registrants. The cyclic investigation program provides intelligence and "lead" information with respect to practitioners who are purchasing excessive quantities. The program is further designed to uncover security breaches, inventory discrepancies, or other violative practices which could result in administrative, civil or criminal action against the manufacture or distributor.

DEA has recently revised the criteria upon which cyclic investigations are based resulting in more workyears being devoted to potentially violative firms, and less time spent on firms with no diversion history or which do not handle the more common drugs of abuse.

Have all targets of TRIP investigations been G-DEP I and II level violators? If not, how were these investigations of lower level violators justified, and what positive results have occurred in these investigations?

The majority of all DEA TRIP investigations are at the Class I and II level. However, TRIP has been designed to interface directly with the DEA's state and local assistance activities. In many cases a practitioner level violator will be a significant source of diversion with without technically reaching a Class I or II level. For example, if one practitioner purchased quantities of Diluadid equal to all the Diluadid purchased in the State of Massachusetts in a one-year period, he would still not be operating at a Class II level.

TRIP provides for a targeting procedure which includes consultation with state enforcement agencies regarding suitable targets. In most cases the major state targets are operating at high levels and the DEA will work the cases either jointly or independently. Generally, these cases will result in Class I or II's. In some instances a state will identify a practitioner as the major registrant violator in the state, although this target falls short of the federal threshold (Class II). In these instances field investigations may solicit management review of the trafficking situation in the affected state. If management determines that the target is especially important within the state, it may classify the target under TRIP in order to provide direct assistance on the most egregious violator(s) in this particular area.

As part of its intelligence gathering activities does DEA Office of Intelligence still prepare major organization reports identifying the top violator organizations by type of drug and organized crime? If so, how many organizations does DEA have?

The Office of Intelligence continues to prepare a wide variety of standardized and special profiles, analyses and reports identifying major narcotics traffickers and laying out the structure of their organizations and operations, irrespective of the type of drug or activity involved.

In the past, the Office of Intelligence prepared and disseminated a series of major Violator Books, so-called "Top Ten Lists". However, because of the fluid nature of narcotics trafficking, and the rapid changes which characterize this trade, Intelligence program managers determined that this medium was no longer an efficient or effective way to keep headquarters and domestic and foreign field elements updated on current events.

The Office of Intelligence relies now on the Geo-Drug Enforcement Program (G-DEP) and close coordination with field elements to identify and target major violators for research and development efforts. The G-DEP is DEA's system for managing its enforcement activities to assure that they are directed at the highest level of violators, and at those drugs which are of the highest priority. By these means, more timely and accurate coverage of violators, groups and activities is achieved; as a result, intelligence efforts more closely reflect current investigative efforts and priorities. In addition, this system enables the Office of Intelligence to more rapidly and effectively respond to changes in field requirements for support, and it alleviates the time-consuming logistical problems associated with maintenance and upkeep of several hundred Violator Books.

The Intelligence Program, including headquarters and domestic and foreign field elements, monitors the activities of a considerable number of top narcotics violators and groups, and is no longer constrained by quantitative limitations on the number of significant targets it can (or should) provide support against.

Does DEA provide foreign host governments with names of DEA's top international organizations it wishes targeted for informant action? If so, how are these organizations identified? And how responsive have host governments been at following up?

Through an active enforcement and intelligence liaison program, DEA furnishes foreign police officials information regarding major targets of mutual interest. These targets are identified either as a result of historical discovery through routine or special investigations conducted in the United States and elsewhere, or they come to our attention by way of some recent and significant drug seizure. In any case, the importance of the subjects is communicated to the host government authorities along with our requests for an appropriate follow-up investigation. Informants generally, can only penetrate the lower levels of a given criminal (drug) organization. They are used more effectively against individual members of an organization who can be tracked during the development of a substantive case. Above the level of courier or wholesaler, it is unlikely that an unknown informant, acting as an independent contractor, will be given access to the top echelons of an organization.

The vast majority of intelligence on major international organiza-

when data are matched with existing file references, we consider the matter to have reached organizational status.

We encourage the collection of information abroad by host governments and we attempt to assist in the analysis and storage of such data. Procedurally, however, there are some obstacles brought about by differing legal and policing systems. For example, under Napoleonic-code legal systems (as exist in Europe, Mexico and South America), there are restrictions on the use of an informant in the same sense as they are used in the United States. Further, under such systems, an individual suspected of being a criminal must be condemned (i.e., indicted) by the police on the basis of their information. Under the American legal system a person does not have a Constitutional "right" to be arrested simply because he may have committed a crime. The power of arrest is discretionary and left up to the prosecutors and police. In Napoleonic-based law there is no discretion; indeed a person is required to be arrested when police and prosecutors have evidence of a crime. This, to some degree, limits the value of collecting criminal intelligence on criminals. Unlike in the United States, it theoretically would be impossible under Napoleonic law to have received information from an informant to the extent that such information would incriminate a second party in a criminal action and then, in the pursuit of a greater violation, not pursue the original charge. For the most part, our foreign colleagues do act on DEA-supplied information and intelligence, and impact cooperative removals of drugs totalled 2,065 pounds of heroin and equivalents, 6,368 pounds of cocaine and 357,902 pounds of marijuana in FY 1981.

EPIC

Could EPIC--with its present resources--expand its services to state and local agencies to fulfill the intelligence needs currently being provided by the Multi-State Regional Intelligence Projects being separately funded by Justice?

The El Paso Intelligence Center (EPIC) has grown since 1974 from a border intelligence unit to a 24-hour-a-day intelligence center with worldwide capabilities to provide operational intelligence relating to the smuggling of drugs, aliens and weapons. EPIC supports DEA national and international investigative and intelligence programs. EPIC services numerous requests for information from the nine federal agencies participating at EPIC and maintains specific agreements with 47 state, local and territorial police agencies for the exchange of drug-related information.

The MSRIPs collect and exchange intelligence on local, state and regional figures involved in a wide variety of criminal activities, not limited to narcotics trafficking.

EPIC already provides a considerable amount of intelligence information to various state and local police agencies on narcotics and

Organized Drug Trafficking

Does elimination of the highest echelon of a trafficking organization have a lasting impact if the whole organization (all echelons) is not arrested and convicted?

When the highest echelon of a drug trafficking organization is arrested, and fragments of the organization remain, the organization usually either restructures under new leadership and/or is replaced by a competitive organization. The potential for cash profits is so great that there is tremendous incentive for the individual members to continue their activities. We recognize this pattern and intelligence gathering activities and enforcement pressures are continued against the priority organizations.

Does DEA maintain statistics on total organizations disrupted and immobilized?

DEA does not maintain running statistics on the number of total organizations disrupted and immobilized because the dynamics of drug trafficking preclude such data collection. DEA's investigations are directed at major drug trafficking organizations of the highest levels. All arrests in Class I and II cases are related to major organizations. Additionally, conviction rates of major drug violators are recorded and maintained as well as indictments resulting from CINTAC and Mobile Task Force operations, which are established solely for the purpose of immobilizing major drug trafficking organizations.

Forfeitures Resulting from Seizures

What percentage of DEA seizures (FY 1981, \$161 million) were ultimately forfeited to the U.S. Government?

In FY 1981 DEA asset seizures, which were available for forfeiture under those statutes enforced by the DEA, totaled \$64.7 million.

In FY 1981 DEA asset seizures, which were processed through to forfeiture under those statutes enforced by DEA, totaled \$12.9 million. Because of the time required to process forfeitures, in some cases FY 1981 forfeitures result in finalization of the forfeitures process relating to seizures in FY 1980 and even FY 1979.

In FY 1981 DEA was involved with many other agencies in cooperative investigations resulting in seizures, which were available for

To what extent are DEA or FBI agents involved in undercover drug operations in foreign countries? Do host governments approve all active investigations involving U.S. agents?

Under the concurrent Implementation Directive, DEA will continue to be responsible for the conduct of drug investigations overseas; the FBI and DEA have agreed that any involvement by FBI personnel in foreign areas must have the concurrence of both headquarters.

Particularly in cases with direct impact upon the United States, DEA agents have traditionally conducted undercover operations in foreign countries, in coordination with host country police counterparts. DEA prohibits its agents/representatives from engaging or participating in any unilateral investigative activity outside the scope of formal or informal agreements developed between the United States and the host government, unless these activities have the express and explicit approval of at least one responsible host government official, the American Ambassador and the DEA Administrator.

Relationship Between Multi-State Regional Intelligence Projects and State and Local Task Forces

How does DEA's state and local task force program relate to the Department of Justice's Multi-State Regional Intelligence Projects?

The two programs must be considered separate entities in both purpose and composition. The DEA State and Local Task Force Program (S<FP) is directed toward the investigation, prosecution and ultimate immobilization of mid and high-level narcotics traffickers within the specific area in which the task force operates. The DEA S<FP is staffed by DEA special agents and state and local police officers, operating under the direction of DEA.

In addition to their investigative activities, DEA S<FP elements also produce and disseminate intelligence which is entered into DEA and associated information systems, thereby making it available for other investigations. Intelligence is also available to the S<FP elements, which assists them in carrying out their responsibilities. DEA S<FP are usually not multi-state or regional in the nature and scope of their operations.

In contrast, the Department of Justice' Multi-State Regional Intelligence Projects (MSRIPs) have a much broader scope and purpose. The MSRIPs are involved in the collection and exchange of intelligence information on (but not limited to) loan sharking, narcotics, trafficking in stolen property, gambling, extortion, smuggling, bribery and corruption of public officials. Under their original charter, the MSRIPs received funding through Law Enforcement Assis-

sources and facilities of various state and local police agencies under one project director. This makes them somewhat more regional in the operation as opposed to the more limited scope of the DEA S<FP.

Many of the objectives for upgrading the capabilities appear to be similar in the drug law enforcement areas. Couldn't these two separate programs be merged?

While superficially many of the features of the two programs appear similar, in several basic, fundamental areas, they are very different and could not be effectively merged. First, and perhaps foremost, the DEA S<FP and the MSRPs function for different purposes.

DEA S<FP elements are directed towards investigations, prosecution and immobilization of mid and high-level narcotics traffickers. MSRPs are directed toward collection and exchange of intelligence information on a wide variety of criminal activities beyond just narcotics. DEA S<FP are operationally limited in scope to the specific metropolitan locations in which they are established. MSRPs are generally regionally oriented and, as their name implies, multi-state in scope. Finally, DEA S<FP elements and the MSRPs maintain different intelligence networks and data bases. Both are specifically tailored to the needs and requirements of their parent organizations, with the appropriate federal, state, and local statutory restrictions applicable to data access and exchange.

Asset Seizures

Since early 1981, what has been the results of integrating DEA's asset forfeiture program into DEA performance evaluation system?

Beginning in 1979, data on asset activity began to be included in annual reviews of regional, district and resident office performance.

However, this data was not utilized as a performance measurement tool until the reviews examining accomplishments for FY 1980. Since then, each manager has been held accountable for his office(s)'s asset removal program. This program is and will continue to be a major factor in evaluations of field office performance.

The justification states that during 1981, \$161 million in cash and property was seized by DEA and \$225 million in seizures are anticipated in 1982. What portion of this amount is the value of illicit drugs?

None of the reported seized cash and property was illicit drugs. All seizures were of drug-related assets, i.e., cash and property employed in illicit drug trafficking operations or revenues derived from such operations.

domestic offices be closed during FY 1983 to meet the budget reductions? Which offices? How many personnel will be affected by these closings? How many in New Mexico? What criteria will, or did the DEA use to determine which offices are to be closed?

No offices will be closed to meet the budget reduction in 1983. However, as currently planned, DEA is reassigning agents to meet priority enforcement needs. As a result of this action the offices in Douglas, Arizona; Tulsa, Oklahoma; and Springfield, Illinois are planned to be closed in 1982. DEA will still maintain offices in all states.

The criteria for closing an office encompasses numerous factors including, but not limited to the following:

1. Drug abuse concentration in area.
2. Status of the area as a major drug transit point.
3. Productivity of office (arrest and convictions).
4. Level of potential drug investigations.
5. Level of drug-related violent crime.
6. Capability of state and local police authorities.
7. Proximity of other DEA offices to the area.

In an effort to assist South Florida solve the problems caused by massive immigration, illegal drugs, and crime, Vice President Bush announced that 20 DEA agents would be assigned to Miami. Presumably these agents will be deployed from other offices because DEA's FY 1983 budget request maintains personnel strength at current levels. From which DEA offices will the agents be deployed? From any in New Mexico? Will the agents be on temporary or permanent assignment to Miami? If temporary, how long does DEA anticipate the agents will be assigned to Miami? Is DEA also sending equipment to South Florida? If DEA is sending equipment, please describe the equipment and indicate from which offices the equipment will be deployed.

The DEA has increased the special agent manpower ceiling for the Miami District Office by twenty new positions. This will bring the new level to one hundred and fifteen field agents in that office. The twenty agents to be assigned will come from various domestic DEA offices where ceiling reductions are being undertaken. There will be three agents moved from New Mexico.

In addition to the field agents of the Miami District Office there are about sixty special agents assigned to the DEA/Customs/Florida Task Force in Florida. These sixty agents are scheduled to remain on temporary assignment for sixty to one hundred and eighty days as participants in this task force. During this period of time it is expected that the twenty new positions will be filled and their transfers to Miami undertaken.

DEA has sent and is sending equipment to Florida to augment the investigative resources in place in Miami. Among the items sent

etc. The logistical resources have been allocated to the offices throughout the United States.

In 1981, the Congress amended the Posse Comitatus Statute (18 U.S.C. § 1385) to authorize the military to provide intelligence, equipment, training, and technical assistance to law enforcement agencies as long as military preparedness is not affected. Reimbursement is a condition of this assistance. What amount is included in DEA's budget request for reimbursing the Department of Defense for any assistance provided during FY 1983?

DEA has no funding in the 1983 budget to reimburse the Department of Defense.

QUESTIONS SUBMITTED BY SENATOR ERNEST F. HOLLINGS

Workyear Reduction

The 1983 budget provides for a reduction of 100 workyears amounting to \$2,500,000. Page 57 of the justification says that the 100 workyear reduction will "provide for the ongoing level of operations." The various program measures in the justifications seem to bear that out as they are all holding steady or even improving. Are the workload measures reliable in view of the 100 workyear reduction?

Yes. The workload measures were not affected by the program reduction to any degree.

The reduction of 100 workyears and \$2,500,000 is being proposed to support the President's economic recovery program. The workyear decrease will be allocated proportionally to the workyears in the programs to minimize the impact on the nation's drug enforcement effort and will not impact on agent staffing. It is anticipated that the 1983 requested workyear level will enable DEA to provide for the ongoing level of operations.

New York, NY.....	177
Buffalo, NY.....	6
Rochester, NY.....	1
Albany, NY.....	2
Hartford, CT.....	13
Bridgeport, CT.....	2
Long Island, NY.....	6
Newark, NJ.....	20
Atlantic City, NJ.....	5
Boston, MA.....	34
Portland, ME.....	3
Concord, NH.....	1
Burlington, VT.....	3
Providence, RI.....	2
Springfield, MO.....	2
Philadelphia, PA.....	26
Wilmington, DE.....	2
Pittsburgh, PA.....	9
Miami, FL.....	98
Jacksonville, FL.....	7
W Palm Beach, FL.....	8
Tampa, FL.....	6
Ft. Lauderdale, FL.....	13
Ft. Myers, FL.....	3
Panama City, FL.....	4
Key West, FL.....	2
San Juan, Puerto Rico.....	16
Atlanta, GA.....	23
Savannah, GA.....	3
Charleston, SC.....	3
Columbia, SC.....	5
Nashville, TN.....	5
Memphis, TN.....	3
Wilmington, NC.....	5
Greensboro, NC.....	6
Washington, DC.....	21
Norfolk, VA.....	5
Richmond, VA.....	4
Baltimore, MD.....	31
New Orleans, LA.....	25
Baton Rouge, LA.....	4
Shreveport, LA.....	2
Little Rock, AK.....	5
Mobile, AL.....	6
Birmingham, AL.....	3
Jackson, MS.....	3
Chicago, IL.....	78

Minneapolis, MN.....	2
Milwaukee, WI.....	6
Fargo, ND.....	2
Kansas City, MO.....	9
Omaha, NE.....	2
Wichita, KS.....	2
Des Moines, IA.....	2
Sioux Falls, SD.....	2
Dallas, Tx.....	36
Oklahoma, OK.....	3
Tulsa, OK.....	1
Fort Worth, TX.....	5
San Antonio, TX.....	21
Austin, TX.....	12
Del Rio, TX.....	5
Eagle Pass, TX.....	3
Houston, TX.....	23
Corpus Christ, TX.....	10
Galveston, TX.....	5
Mc Allen, TX.....	22
Laredo, TX.....	8
Brownsville, TX.....	8
Tucson, AZ.....	17
Douglas, AZ.....	3
Nogales, AZ.....	4
Phoenix, AZ.....	13
San Luis, AZ.....	6
Denver, CO.....	22
Cheyenne, WY.....	2
Salt Lake City, UT.....	4
El Paso, TX.....	13
Lubbock, TX.....	1
Midland, TX.....	2
Alpine, TX.....	2
Albuquerque, NM.....	15
Las Cruces, NM.....	5
Los Angeles, CA.....	82
Honolulu, HI.....	11
Guam.....	2
Reno, NV.....	5
Las Vegas, NV.....	9
San Diego, CA.....	43
Callexico, CA.....	9
San Francisco, CA.....	36
Sacramento, CA.....	10
Frensno, CA.....	6
Seattle, WA.....	32
Spokane, WA.....	3
Portland, OR.....	8
Eugene, OR.....	4
Anchorage, AK.....	3

Subtotal.....	1,548
Headquarters Activities.....	147
Foreign.....	158
Total.....	1,853

Where will they be deployed after the reorganization?

This data is still in the planning stage. As soon as it is approved we will make it available.

What will be the impact of the workyear reduction on the number of agents?

The workyear reduction will not impact on the agent workyears or agent positions in 1983. The workyear reduction applies to non-agent positions only.

On page 56 a reduction of 107 workyears is shown, but on page 57 there is a display of the workyear reduction that amounts to 100. Please explain the differences in these numbers.

The 107 workyear reduction noted on page 56 represents the total change from 1982 and 1983, which takes into account net adjustments to base (-7) and program reductions (-100).

The adjustment to base changes were as follows:

- ° Annualization of 36 additional positions approved in 1982. Funding for only seventy-five percent of the year was included in 1982 ($36 \times .75 = 27$ workyears). Nine workyears and \$305,000 have been requested to provide for funding on an annual basis.
- ° Annualization of 1982 position and program reductions reflected in the March 1982 amendment. Where a decrease in positions occurred in the current year and it was for only a portion of the year, the budget notes a further reduction in workyears and dollars to annualize the cost of the reduction (-16 workyears and -\$700,000).

How many personnel in permanent positions did DEA employ on September 30, 1981?

DEA's on-board full-time permanent staff totaled 3,910 on September 30, 1981.

Will FBI agents play a more noticeable role overseas?

No. The FBI and DEA agree that the U.S. Government must speak with singular voice in drug enforcement matters with foreign police. DEA will continue its role as the United States drug investigative agency overseas.

How will the new organizational structure affect our working relationships with foreign governments assisting in the war against drugs?

Inasmuch as there is no change in the DEA foreign enforcement program, we expect minimal adverse impact on working relationships in the foreign cooperative program. In most industrialized countries, internal drug abuse problems make cooperation with DEA mutually beneficial. In many lesser developed countries, cooperation is either mutually beneficial or tied to other U.S. Government assistance programs.

Drug Intelligence

What accounts for increased volume in enforcement support and EPIC activity by the DEA intelligence office? Will the decrease in resources be able to sustain this increased effort?

Increases in enforcement support, as well as in other support-related categories, can be accounted for because the definition of this category was expanded to include a number of previously unreported support activities. This category was previously limited to the number of trafficker profiles and trafficking network analyses produced. This category has been expanded to include:

Intelligence reports: Number of studies, reference documents, recurring reports, special publications, situation and geographic survey reports produced.

Special Field Intelligence Program (SFIP): Number of SFIPs conducted by the program during the year.

Enforcement support activity: Number of biographical sheets, major organizational reports, narcotic trafficker profiles, trafficking network analyses and other in-depth research projects conducted by intelligence personnel (including those done for Special Action Office enforcement programs, CENTACs, Mobile Task Forces and routine investigations).

U.S. Intelligence Center watch transactions. Direct, real-time response to requests from participating federal, state, local and territorial agencies through branches of PATHFINDER command and control data bases.

As additional items account for the substantial increase in the workload production data for FY 1981 over previous years.

During FY 1981, several factors contributed to increased EPIC activity. DEA initiated inquiries to EPIC increased by approximately 14.7 percent over FY 1980 totals. In addition to increased DEA activity, EPIC management reported the following:

U.S. Customs Service and DEA interagency cooperative efforts resulted in an increased use of EPIC services by Customs field personnel.

Other system inquiries and maritime programs at EPIC supporting Coast Guard enforcement activities, accounted for over 25 percent of EPIC Watch Transactions, reflecting increases over previous years.

U.S. Maritime Service inquiries constituted approximately 193 percent during FY 1981 over FY 1980 activity.

Federal Bureau of Investigation field divisions responded to EPIC activity by posting significant increases in the number of inquiries forwarded to EPIC for processing.

Internal Revenue Service initiated a one year test study at EPIC, servicing a considerable number of field inquiries.

Between June 1980 and September 1981, ten new state and territorial police agencies signed agreements with EPIC, increasing the number of EPIC, state, local and territorial consumers to 47 at the end of the year.

Inquiries made of U.S. Immigration and Naturalization Service data bases at EPIC constituted approximately 19 percent of Watch activity during FY 1981.

The cumulative impact of these increases has combined to register increases in EPIC activity over previous years.

There will be minimal impact on the intelligence activity occasioned by the overall program reduction of 100 workyears.

Will the FBI take a more active participating role in assisting other federal, state and local agencies with organized criminal intelligence relating to drug offenses?

The implementation plan for concurrent jurisdiction reiterates that DEA will continue to be the principal federal drug enforcement agency responsible for drug intelligence analysis and the publica-

DEA will remain the agency responsible for disseminating drug-related intelligence to other federal, state and local agencies.

Domestic Enforcement

Presumably, the federal targetting effort places the highest priority on high-level drug traffickers. Why then does DEA initiate more Class III cases than it does Class II cases?

Given the clandestine nature and national or international scope of the most significant trafficking organizations, each Class I or II case normally involves a considerable investment of effort at the Class III level before sufficient evidence is developed to justify upgrading to the higher case classification. It is probably true that DEA initiates more Class III cases than it does Class II cases. This is not indicative of DEA priorities but rather of the dynamic nature of case development and classification. Case initiation and development at the Class III level must be considered a critical element of the Class I and II targetting mechanism. DEA's investigative priorities are best measured by case culmination, not case initiation, in both Class I and II cases. For DEA-initiated investigations in 1981, 46.9 percent of all arrests were at the Class I case level and 60.9 percent were at the Class I and II levels, compared to 39.1 percent in Class III and IV cases combined. DEA continues to place the highest priority on Class I investigations which target the most significant trafficking organizations through the organizational heads, suppliers, financiers and assets upon which the organizations depend.

The former Administrator told us several times that major drug traffickers treated bail as lunch money. Has there been any improvement in getting at high enough amounts to impact on bail jumping?

There appears to be a growing awareness of the courts as to the amount of bail money available to drug traffickers through their illegal activities. More realistic bails are being set for high-level traffickers.

How many indicted drug traffickers jumped bail in FY 1980 and 1981, and what success has DEA had in apprehending them?

Approximately 325 fugitives jumped bail in 1980 and another 330 jumped bail in 1981. In addition to the bail jumpers, there are a large number of fugitives who have been indicted but never arrested. In most cases, these fugitives have fled the country or were not in the country at the time of indictment. In 1981, 561 of the total number of fugitives were apprehended or warrants for their arrest dismissed. Technically, the apprehension of fugitives who jump bail following conviction is the responsibility of the U.S. Marshals Service; however, DEA maintains a strong interest in apprehending those high-level violators who jump bail. In spite of the fact that many fugitives released on high-level bail may have fled the country, DEA has had some success in their apprehension. DEA has

often and will, whenever possible, extradite them to the U.S. in accordance with existing treaties.

Last year DEA agents were no longer able to take their cars home due to no money being available for fuel. Has that restriction been relaxed?

We did have some difficulty with fuel allocation and consequently we restricted the travel in connection with the training programs or conferences, but DEA did not restrict the travel with regard to our investigative activity.

Asset Seizures

In FY 1983 DEA projects \$275,000,000 in assets seized, or almost three times the amount seized in 1980. In view of the reduction of 44 workyears budgeted for Domestic Enforcement, how reliable is the estimate for 1983?

The workyear reduction is not anticipated to impact on asset seizures because the reduction is to be applied to other than agent workyears.

We are constantly hearing that DEA has a huge inventory of seized boats, planes, and cars. How many of each of those items does DEA have now?

DEA has a decentralized system to maintain accountability for seized property. A survey of the Domestic Regional Offices reflects the following data:

Inventory of Seized Property

<u>Boats</u>	<u>Airplanes</u>	<u>Cars</u>
15	29	1,066

Cannot these seized assets provide DEA with suitable vehicles through the forfeiture process to obviate the need to purchase 277 motor vehicles in FY 1983?

Forfeited seized passenger motor vehicles supplement the replacement of surplus vehicles through purchase. Generally, only about 20 percent of seized vehicles are ultimately utilized as official vehicles. All seizures are not suitable for DEA use. Many are special purpose vehicles, i.e., trucks, campers, motor homes, motorcycles, etc., and many are not economical for DEA use. Further, as violators become more sophisticated and more aware of federal seizure authority, we find that fewer vehicles, which would otherwise be subject to seizure, are owned by the violators. Violators are leasing vehicles in many cases and making only minimum down payments

provisions of 21 U.S.C. 881 allow DEA to seize all vehicles, vessels and aircraft used to facilitate drug violations. The conveyances valued at less than \$10,000 are forfeited administratively by DEA, unless a claim and bond are filed to make the seizure judicial. Conveyances valued at more than \$10,000 are forfeited judicially, and although some of the civil proceedings to complete such forfeitures take time, DEA ultimately places some such property in use.

Existing GSA statutes and regulations preclude the donation to state agencies of seized and forfeited property, which must be sold. However, where property is seized, forfeited, and put into official use subsequently deemed not to be necessary, the property could be donated to state agencies.

In 1976, the Federal Property and Administrative Services Act of 1949 was amended to permit the United States to donate surplus property to state agencies engaged in promoting public safety, P.L. 94-142, October 17, 1976 (40 U.S.C. 484). The legislative history of this amendment makes clear that non-federal law enforcement agencies are not donees under this law, [1976] U.S. Code, Congressional and Administrative News 5450.

QUESTIONS SUBMITTED BY SENATOR LAWTON CHILES

In our prepared statement, you characterized control of drug trafficking at its source as a "pillar of the U.S. drug strategy", and emphasized the need for eradication, crop substitution, income subsidies and enforcement action overseas.

What changes in the budgets of our federal agencies--those charged with drug enforcement and, more importantly, those charged with control of international relations--can you point to as evidence of increased commitment to dealing with narcotics trafficking at its source?

How much foreign assistance is earmarked for these international law enforcement programs in FY 1983, and how does this amount compare with the amount requested in FY 1982? In FY 1981?

What role as lead agency working actively with counterpart agencies overseas has been highly effective and must be continued. This effort includes technical assistance in eradication, cooperative investigations and legislative proposals, the provision of intelligence, and the exchange of intelligence. We are prepared to continue to achieve our program goals.

We will actively persuade foreign governments to act on drug control, and the Federal Government must combine a convincing domestic program with consistent diplomatic program. Advancement of a firm domestic marijuana control program is a needed demonstration of this commitment. We are actively involved with marijuana control programs in other countries.

Interdiction..... \$17,432,000 \$19,155,000 \$18,000,000

Crop control/ eradication.....	9,294,000	8,500,000	10,900,000
Income replacement/ rural development..	2,460,000	3,045,000	5,250,000

Last year, a General Accounting Office report criticized DEA and the Justice Department for not placing enough emphasis on seizure and (ultimately) forfeiture of assets taken in connection with arrests for drug trafficking. Congress has also called for a greater emphasis to be placed on such proceedings, as an effective way to immobilize drug trafficking organizations.

What was the estimated value of assets seized by the DEA, in connection with drug cases in the most recent fiscal years for which figures are available?

How many forfeiture proceedings have been initiated in the past fiscal year? How many have been completed? How many are still pending?

FY 1979 data are not available, however, in FY 1980 and FY 1981 DEA asset seizures, which were available for forfeiture under those statutes enforced by the DEA, totaled \$39.4 million and \$64.7 million, respectively. From FY 1980 to FY 1981 DEA seizures increased \$25.3 million which represents an increase of 64.6 percent.

In FY 1980 and FY 1981 DEA asset seizures, which were processed through to forfeiture under those statutes enforced by DEA, totaled \$6.8 million and \$12.9 million, respectively. The forfeitures in any one year may not be directly traceable to the seizures in that year, but in some cases are the result of finalization of the forfeiture process relating to seizures in the past year or two. The increase in DEA forfeitures of \$6.1 million represents a near doubling of forfeiture amounts from FY 1980 to FY 1981.

In FY 1980 and FY 1981, DEA was involved with many other agencies in cooperative investigations which resulted in seizures, which were available for forfeiture under the statutes enforced by those agencies or governments. These seizures in FY 1980 and FY 1981 totaled \$54.8 million and \$96.3 million, respectively. DEA records do not reflect the status of the forfeiture proceedings in these other agencies.

During this period DEA deposits to the United States Treasury (from all sources) increased over 2.5 fold. It is noteworthy that while proceeds from sales increased 74 percent from FY 1980 to FY 1981 their relative proportion of the total decreased by 6.8 percent. During the same time period the amount of seized monies nearly tripled (from \$.84 million to \$2.68 million).

percent in FY 1980 and 2.2 percent in FY 1981).

Unlike seizures, the relative proportion of DEA forfeitures changed substantially from FY 1980 to FY 1981. The largest shift occurred in Section 881 forfeitures, which decreased from 81.6 percent of all DEA forfeitures in FY 1980 to 49.3 percent in FY 1981. Forfeitures for CCE increased substantially during this time period--from two percent of all DEA forfeitures in FY 1980 to 17 percent in FY 1981. RICO forfeitures nearly doubled--from 7.7 percent in FY 1980 to 13.7 percent in FY 1981. Based on these figures it appears that DEA asset removal activities have emphasized use of the criminal forfeiture provisions of the CCE and RICO statutes. This trend is in keeping with the recommendations in the GAO report, "Asset Forfeiture--A Seldom Used Tool in Combatting Drug Trafficking."

During FY 1981, DEA instituted 1,314 vehicle seizures, 22 aircraft seizures, 12 vessel seizures, and 824 currency or other asset seizures. Insofar as forfeiture proceedings are concerned, since they are handled both administratively and judicially, DEA does not maintain any statistics which would reveal how many cases are pending at any given time, or how many cases are completed in any given time period. DEA does of course maintain the status of each individual case.

United States foreign aid funds can now be used for programs to eradicate drug crops overseas. What steps is DEA taking to implement this new law and what level of funding do you think is proper for these drug eradication programs?

DEA continues to identify through intelligence and enforcement activities areas of illicit cultivation for potential eradication efforts, and to assess host country attitudes and urge officials toward such efforts. With the Department of State, DEA provides technical assistance to host country officials in developing plans to launch optimally effective eradication campaigns. DEA places high priority on eradication in source countries. However, the level of funding for these operations is determined and administered by the Department of State.